1.1 LAW ENFORCEMENT ROLE AND AUTHORITY

1.1.1 PURPOSE

A. Emporia police officers are required to execute an oath of office before assuming any law enforcement duties. This oath, along with our departmental manual, the *Law Enforcement Code of Ethics* and the *Law Enforcement Oath of Honor*, set forth a code of conduct that guides officers in the performance of their duties. This General Order establishes the *Oath of Office* for the EPD (hereinafter "EPD" or "Department") and details both the *Law Enforcement Code of Ethics* and *Oath of Honor* as policy for all Emporia police personnel. The Department's *Mission* and *Value Statements* support the *Law Enforcement Code of Ethics* and the *Oath of Honor*.

B. In order to protect the public interest of the citizens of the City of Emporia, the Police Department has been given broad police powers. Sworn members of the EPD have the authority to enforce the laws of this State and the Ordinances of the City of Emporia. This authority is exercised within the limits established by the Constitutions of the United States and Commonwealth of Virginia, federal and state statutes, and judicial interpretations.

C. Employees have full discretion within the scope of their job function, to accomplish the mission of the EPD except where limited by law, the judicial interpretation of laws, and the policies and procedures of the Department.

1.1.2 MISSION STATEMENT

A. Our mission is the reduction of the incidence of crime and the improvement of the quality of life in Emporia by making it a place where all people can live safely and without fear.

B. The Emporia Police Department is committed to:

- The impartial enforcement of criminal laws and the intelligent use of discretion in solving problems associated with crime and disorder;
- Providing police service of the highest professional quality grounded in our core values of courage, compassion, duty, and integrity;
- Showing respect for the constitutional rights and personal dignity of all people with whom we come in contact;
- Using problem solving tactics and a community-oriented policing strategy that emphasizes collaboration with other agencies, and builds partnerships with civic and service groups and with business and neighborhood associations;

- Continuous organizational improvement and receptiveness to the need for constant change in response to the many needs of a dynamic and diverse community;

- Constantly encouraging each member of our staff to assume leadership roles within our organization, to provide high quality service, to encourage and support others, to build trust, to become agents of change, and to share a vision of an ever improving future.

- The Duty to Intervene when we observe misconduct or excessive use of force by another employee of this agency.

1.1.3 VALUES STATEMENT

A. The Department consists of dedicated professionals who are committed to serving our community, to creativity in solving problems, and to working together as a team. We believe in:

- The Value of Human Life;
- Honesty and Preserving our Integrity;
- The Courage to do what is right;
- The Duty to Intervene when we observe misconduct by another employee;
- Accountability to Ourselves and our Community;
- Fairness, Compassion, and Approachability in the Performance of our Duties;
- Working Together as a Team to Improve the Police Department Family; and
- The Continuous Improvement of Ourselves and our Department.

1.1.4 OATH OF OFFICE

A. All sworn police officers will execute the prescribed *Oath of Office* before performing any law enforcement duties. All officers will execute the Oath at the time of hiring. No employee shall exercise any powers of a police officer until the *Oath of Office* has been executed.

B. An employee who is not certified and sworn may not carry a weapon and may not be assigned to any duty that may require the use of law enforcement authority or arrest powers.

1. The following *Oath of Office* will be executed by all Emporia police officers:

> *I, _____, do hereby solemnly swear that I will faithfully and impartially perform the duties incumbent upon me as a police officer of the City of*

Emporia, Virginia and will impartially, and without fear or favor, discharge all duties entrusted to me in the position and will faithfully uphold and defend the Constitutions of the United States and Commonwealth of Virginia, the Charter and Ordinances of the City of Emporia, which obligation is taken freely and voluntarily on my part without any mental reservation, so help me God.

a. This oath will be administered by the Clerk of the Circuit Court and witnessed by the Chief of Police or his/her designee. The Oath will be signed and properly noted with the date and time in the place provided.

1.1.5 LAW ENFORCEMENT CODE OF ETHICS

A. The following *Law Enforcement Code of Ethic*s is adopted as policy by the Department and EPD police personnel will conduct themselves according to this Code:

***As a law enforcement officer**, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence and disorder; and to respect the Constitutional rights of all to liberty, equality, and justice.*

***I will** keep my private life unsullied as an example to all; **and will behave in** a manner that does not bring discredit to me or to my agency; I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint and be constantly mindful of the welfare of others; Honest in thought and deed; both my personal and official life, I will be exemplary in obeying the law and regulations of my department. Whatever I see or hear of a confidential nature or that which is confided in me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.*

***I will** never act officiously or permit personal feelings, prejudices, aspirations, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals; I will enforce the law courteously and appropriately without fear or favor, malice or ill will; never employing unnecessary force or violence and never accepting gratuities.*

***I recognize** the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other law enforcement officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.*
I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals dedicating myself before God to my chosen profession—Law Enforcement!

B. Ethics Training – All Department personnel will receive ethics training biennially.

1.1.6 LAW ENFORCEMENT OATH OF HONOR

A. Before police officers take upon themselves the *Law Enforcement Oath of Honor*, it is vital that they understand what it truly means. An oath is a solemn pledge someone voluntarily makes when they sincerely intend to do what they say. The key words in the Oath are defined thusly:

HONOR means giving one's word as a bond and guarantee.
BETRAY is defined as breaking faith and proving false.
INTEGRITY is firm adherence to principles, both in our private and public life.
CHARACTER means the qualities and standards of behavior that distinguish an individual.
***The* PUBLIC TRUST** is a duty imposed in faith to those we are sworn to serve.
COURAGE is having the "heart," the mental, and the moral strength to venture, persevere, withstand and overcome danger, difficulty, and fear.
ACCOUNTABILITY means that we are answerable and responsible for our actions.
COMMUNITY is the municipalities, neighborhoods, and citizens we serve**.**

B. All of these elements are necessary in an officer's character to fulfill the Department's vision, principles, values and mission.

Law Enforcement Oath of Honor

On my honor,
I will never betray
my badge, my
integrity, my
character,
Or the public's
trust.

I will always have the courage to
hold myself and others
accountable for our actions.
I will always uphold the
Constitution and the Community I
serve, so help me God.

1.1.7 TELECOMMUNICATOR'S CODE OF ETHICS

A. As a TELECOMMUNICATOR I regard myself as a member of an important and honorable profession.

   I will recognize the positive relationship between good physical and mental conditioning and the performance of my job.

   I will perform my duty with efficiency to the best of my ability.

   My conduct and performance of my duties will be accomplished in an honest manner, contributory to my fellow workers, and observant of the laws of the city, state and country.

   I will not, in the performance of my duty, work for unethical advantage of profit.

   I will recognize at all times in my duty that I am a public safety employee, and that ultimately I am responsible to the public.

   I will give the most efficient and impartial service of which I am capable at all times.

   I understand the importance of courtesy and will maintain it as my reference point in all my duties.

   I will regard my fellow telecommunicators with the same standards as I maintain myself.

   I share a reciprocal affinity and obligation with my fellow telecommunications, my administration, and my agency.

   I will accept responsibility for my actions.

   I will strive for those values which will reflect honor on my fellow telecommunicators, my agency, and myself.

B. All Communications Personnel shall read, sign and abide by the Telecommunicator’s Code of Ethics.

C. Ethics Training – All Communications personnel will receive ethics training biennially.

2.1 LIMITS OF AUTHORITY

2.1.1 LEGAL AUTHORITY

A. The scope and limitations of police authority as it pertains to the enforcement of laws, statutes, and ordinances is defined in the Constitution of the United States, the Virginia Constitution, the Code of Virginia and the City of Emporia Ordinances.

B. The Code of Virginia, 15.2-1704, provides police officers of cities and towns the authority to enforce ordinances and regulations of the jurisdiction in which they are appointed, and to enforce the criminal laws of the Commonwealth. This section also specifically prohibits police officers from having authority or power in civil matters.

C. Officers are empowered to enforce State laws up to 1 mile beyond the boundaries of the City, in accordance with the Code of Virginia, 19.2-250.

D. Officers are empowered to enforce laws on any City-owned property located outside the boundaries of the City in accordance with the Code of Virginia, 15.2-1725.

E. Officers involved in hot pursuits that go beyond the City limits will follow the guidelines set forth in General Order 22.2.2, *Pursuits of Motor Vehicles,* for vehicle pursuits, and General Order 36.2.4, *Patrol Radio Procedures,* for all other situations.

2.1.2 CONSTITUTIONAL REQUIREMENTS

A. Officers shall not coerce or obtain involuntary confessions from persons suspected of criminal involvement. Prior to custodial interrogation of a suspect, a reading of the subject's rights as defined by Miranda v. Arizona, 1966 shall be performed. If the officer has any doubt whether the interrogation is custodial in nature, the officer shall read the subject his or her rights.

1. Officers should assure that hearing impaired and /or non-English speaking persons clearly understand their rights under the Constitution. Qualified interpreters will be used whenever Constitutional issues become apparent to officers who are confronted with hearing impaired and/or non-English speaking persons.

B. A reading of the subject's rights is not needed:

1. Before questioning a person who was a witness to a crime or who has knowledge about a crime but is not a suspect.

2. Before questioning a suspect who realizes and understands that the questions do not have to be answered and that they are free to leave at any time during the questioning.

3. Before questioning a motorist stopped for a traffic offense or DUI.

4. Before asking questions motivated by concerns for public safety.

5. When a suspect is taken into custody but the officer poses no questions to the suspect concerning any matter under investigation.

C. Once a person expresses a desire to speak with an attorney, the questioning of that person shall cease and may not resume until the person has been able to obtain counsel.

D. When a person is arrested, with or without a warrant, the arresting officer shall, without undue delay, take that person to the nearest available magistrate.

E. Pretrial publicity could prejudice a fair trial. All personnel will follow the guidelines in Chapter 31, *Public Information*, when disseminating public information.

2.1.3 WARRANTLESS SEARCH

A. The *Fourth Amendment* of the *Constitution* protects the *right of the People to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures.* In the absence of exigencies that would justify its initiation, a warrantless search may only be conducted as defined under the Code of Virginia, 19.2-59. It is the policy of the EPD to conduct field interviews (see General Order 22.2.3, *Field Interviews*), investigative stops, frisks and searches in accordance with mandates prescribed under federal and state law.

B. Search by Consent - Officers may initiate field interviews in accordance with General Order 22.2.3, *Field Interviews*. Officers are not in violation of the *Fourth Amendment* when approaching a person and asking if he or she is willing to answer questions, or by asking questions if the person is willing to listen, or by offering into evidence in a criminal prosecution the person's voluntary answers to such questions.

C. Investigative Stop, Frisk and Search Beyond the Person

1. A law enforcement officer may temporarily detain a person in a public place if reasonable suspicion exists that a crime has been committed, is being committed, or is about to be committed; or the officer reasonably suspects that a person is illegally carrying a concealed

weapon in violation of Code of Virginia, 18.2-308. The United States Supreme Court ruled in the1968 case of *Terry v. Ohio*, 392, U.S. 1, "…*a temporary detention is a seizure under the Fourth Amendment*." The Court, however, recognized that police officers must be able to make such stops when probable cause to arrest may not exist. The Virginia Supreme Court supported the necessity of an investigative stop in a 1977 case, *Simmons v. Commonwealth*, 231 S.E.2d, 218, when it stated:

> *The Fourth Amendment does not require a policeman who lacks the precise level of information necessary for probable cause to arrest to simply shrug his shoulders and allow a crime to occur or a criminal to escape. On the contrary, Terry recognizes that it may be the essence of good police work to adopt an intermediate response. A brief stop of a suspicious individual in order to determine his identity or to maintain the status quo momentarily while more information may be reasonable in light of the facts.*

2. Investigative Stop - The temporary detention of a subject when the officer has reasonable suspicion that a criminal activity has occurred, is occurring or is about to occur. The courts have ruled that the following factors may be considered in building a foundation to stop a person (all of the factors need not be present to establish such a foundation):

   a. The officer has valid knowledge that a person has a prior felony record.

   b. A person fits the description of a wanted notice.

   c. A person has exhibited furtive conduct such as attempting to conceal an object from the officer's view, or reaching under the seat of a car.

   d. Clothing worn by a person is similar to the suspect's clothing described in a lookout for a known offense.

   e. A person exhibits unusual behavior, such as staggering or appearing to be in need of medical attention.

   f. The area and time of day, such as a person observed in a public area, which has a history of recurring crime during the same time period as the time of the stop.

   g. Hearsay information. The use of hearsay information is dependent upon both the content of information possessed by officers and its degree of reliability. Officers must corroborate some of the information provided by citizens or from anonymous tips when developing reasonable suspicion to conduct an investigative stop.

3. Frisk - If an officer reasonably believes that a person may be armed and constitutes a danger to the officer or other persons, the officer may conduct a limited search of the person's outer clothing. The courts have held that in the case where the subject was wearing a heavy overcoat, the officer was proper in having the subject remove the coat so that he may be patted down.

4. Search beyond the Person - The United States Supreme Court held in *Michigan v. Long*, (1983) that although *Terry v. Ohio* involved the stop and subsequent pat-down search for weapons of a person suspected of criminal activity, it did not restrict the protective search to the person of the detained suspect. The Court recognized that protection of police and others can justify protective searches when there exists reasonable suspicion that the suspect poses a danger. Thus, an officer can search an area within the person's reach where a weapon may be found. A lawful protective search for weapons extending to an area beyond the person in the absence of probable cause to arrest must have all of the following elements present:

   a. A lawful investigative stop of a person or vehicle.

   b. Reasonable suspicion that the suspect poses a danger, as defined by the Court in *Michigan v. Long*." Specific and articulable facts, which taken with the rational inferences from those facts, reasonably warrant the officer to believe that the suspect is dangerous and the suspect may gain immediate control of weapons;"

   c. The search must be limited to those areas in which a weapon may be placed or hidden.

   d. The search must be limited to an area, which would ensure that there are no weapons within the subject's immediate grasp. The Court added in *Michigan v. Long* that although the subject was under the control of two officers during the investigative stop, it did not render unreasonable a belief that he could injure them.

D. Period of Detention - Courts have generally held that the period of detention is a brief intrusion upon a person's movement. Once the detaining officer determines that the basis for reasonable suspicion no longer exists, the person being detained must be immediately released. Reasonable suspicion should be reinforced with diligent, active investigation. Should the investigation reveal additional information that strengthens reasonable suspicion, then the detention period may be continued. If probable cause does not develop in a reasonable time period, the officer should immediately release the person.

E. Vehicle Stops and Searches (*Carroll Doctrine*) – When probable cause exists that a vehicle in a public place contains contraband or evidence of a crime, a warrantless search of the vehicle may be conducted. The scope of the search is defined by the object of the search and the places in which there is probable cause to believe that the object of the search may be found. If probable cause justifies a search of the vehicle, an officer may search, without a warrant, the

vehicle and any containers in the vehicle, which may conceal the object of the search. If probable cause justifies only a limited search of a vehicle for a particular container, the container itself may be searched without a warrant.

F. The Supreme Court has upheld the use of a drug detection dog to sniff the exterior of a vehicle during a legitimate traffic stop and neither probable cause nor even reasonable suspicion on the part of the officer is required. If the dog alerts, then probable cause is present for a search of the vehicle and any containers in the vehicle may also be searched. However, the Court has made it clear, that the use of the drug dog cannot in any way extend the length of such stop and the officer may not slow the process of completing the driver record check and issuing the citation or written warning beyond the norm to permit the dog to arrive and complete the vehicle check.

1. Officers are reminded that probable cause to search a car does not justify a body search of the driver or passenger (US v Dire) and that significantly heighten protection has been afforded by the Court against searches of one's person (Wyoming v Houghton). If a vehicle search is necessary and the operator is removed from the vehicle, the officer may, if there is a belief on his/her part that the operator may be concealing a weapon, conduct a pat down or "frisk" type search to ensure the officer's safety. No further search of the individual is permitted unless there are grounds for a custodial arrest.

G. Numerous federal cases have recognized that the Fourth Amendment does not bar police officers from warrantless entries and searches when they reasonably believe that a person within is in need of immediate aid. It has been ruled that "the need to protect or preserve life or avoid serious injury is justification for what would be otherwise illegal absent an exigency or emergency." Wayne v. United States. A warrantless search must be strictly circumscribed by the exigencies that justify its initiation. Where there are no exigent circumstances indicating the need for immediate aid, or that evidence would be lost, destroyed, or removed during the time required to obtain a search warrant, no warrantless search may be conducted.

H. Absent the consent of the person with sole or common authority (standing) of such property to be searched, or such exigent circumstances as outlines above, officers shall proceed as defined in Code of Virginia, 19.2-59. When possible, and absent exigent circumstance, the Commonwealth's Attorney shall be contacted to determine the need for obtaining a search warrant to search a crime scene. A twenty-four (24) hour telephone number is available, when the need arises for after-hours contact with a Commonwealth's Attorney.

I. Procedures for inventory searches of towed vehicle and acquired property are outlined under General Order 33.4.3, *Abandoned Vehicles, Tow Policy, Towing Records*, for towed vehicles, and General Order, 39.1.1, *Property Control*, for acquired property.

2.1.4 ARREST PROCEDURES

A. Adult felony arrests can be effected in any of the following instances:

1. If the offense is observed by the arresting officer.

2. If probable cause exists.

3. With a valid warrant.

4. Upon knowledge of the existence of a warrant.

B. Adult misdemeanor arrests can be effected in any of the following instances:

1. If the offense is observed by the arresting officer.

2. With a valid warrant.

3. Upon knowledge of the existence of a warrant.

4. Officers may arrest without a warrant under the authority of Virginia State Code 19.2-81 and 19.2-81.3 for the following crimes not committed in their presence.

a. Domestic Assault and Battery

b. Assault and Battery

c. Shoplifting

d. Carrying Weapons on School Property

e. Brandishing a Firearm

f. Destruction of Property

C. Search of Prisoners

1. General Searches

a. Officers shall search persons in their custody for weapons or other objects, which could be used to inflict, harm or affect an escape.

b. A systematic search of the person shall be conducted as soon as possible after the arrest, and unless conditions dictate otherwise, prior to transporting the person in a police vehicle.

c. Officers that accept temporary custody of a prisoner shall conduct a search of that person assuming that the subject has not been searched previously.

d. All valuables and potential weapons shall be removed from the prisoner and delivered to the jailers at the jail. The officer should assist or observe the jailers search the prisoner prior to detention.

e. Upon discovery of contraband or weapons, the arresting officer shall take:

(1) the appropriate action relevant to seizing evidence and securing warrants.

2. Strip Searches

a. A strip search shall mean having an arrested person remove or arrange some or all of their clothing so as to permit a visual inspection of the genitals, buttocks, anus, female breasts, or undergarments of such person.

b. In addition to the above definition of strip searches by Virginia State Code provides that having a person arrange some or all of his clothing so as to permit a visual inspection of the undergarments is included in that definition.

c. A strip search for adults and juveniles is only authorized upon authority:

(1) Upon the issuance of a valid search warrant

(2) In accordance with Virginia State Code 19.2-59.1:

(a) Section 19.2-59.1 of the Code of Virginia states that: “No person in custodial arrest for a traffic infraction, class 3 or class 4 misdemeanor, or a violation of city, county or town ordinance which is punishable by no more than thirty days in jail, shall be strip searched unless there is reasonable cause to believe on the part of a law enforcement authorizing the search that the individual is concealing a weapon.”

b) Will be conducted only by a member of the same sex, in accordance with Virginia State Code 19.2-59.1.

(c) Conducted in a private, secured location.

(d) Conducted out of the view of others not involved in conducting the search

d. All strip searches will be documented by completing an *Incident Report, which* will be filed in the case folder and a memorandum documenting the incident will be sent to the Chief of Police via the chain of command.

3. Body Cavity Searches

a. Body cavity searches are viewed by the Courts as invasive and intrusive and should be performed only under the following procedures.

b. Body cavity searches other than the mouth on adults and juveniles shall not be performed except:

(1) Upon authority of a valid search warrant;

(2) Should be limited to dangerous weapons suspected to be secreted in a body cavity;

(3) If contraband is suspected, medical clearance shall be obtained and jail staff notified to institute a contraband watch.

(4) Body cavity searches shall be conducted under sanitary conditions and only by a physician, nurse practitioner, licensed nurse;

(5) Conducted in a private, secured location.

c. All body cavity searches will be documented by completing an *Incident Report* which will be filed in the case folder, along with a copy of the search warrant and a memorandum documenting the incident will be sent to the Chief of Police via the chain of command.

D. Transporting Prisoners

1. Persons placed under arrest shall be taken to the nearest magistrate without undue delay.

2. All persons shall be searched for weapons, evidence, and/or contraband prior to being transported.

3. The use of handcuffs or similar restraining devices will be in accordance with General Order 34.2.1, *Restraints during Transport*. Seat belts shall be worn by the prisoners unless physical or medical conditions prohibit the use.

E. Arrest Processing

1. LIDS DNA Sample - In accordance with Code of Virginia, 19.2-310.2:1, every person arrested for any of the violations listed in that code section, along with standard processing procedures of photographs and fingerprints, a sample of saliva shall be taken for analysis and sent to the Department of Forensic Science for input into the Local Inmate Data System (LIDS) Deoxyribonucleic Acid (DNA) data bank to determine identification characteristics specific to the person.

   a. Personnel from the Southside Regional Jail will take the LIDS sample upon receipt and processing of the prisoner.

   b. If the Southside Regional Jail does not obtain a LIDS sample, then the arresting officer will be required to obtain the sample from the prisoner.

2. All adults arrested for the following offenses shall be processed under CCRE reporting procedures:

   a. Treason.

   b. Any felony.

   c. Any misdemeanor under the Code of Virginia, Title 54.

   d. Any misdemeanor punishable by confinement in jail (i) under Title 18.2 or 19.2, or City of Emporia Ordinances punishable as a Class 1 or 2 misdemeanor, (ii) under Virginia State Code 20-61, (iii) under Virginia State Code 16.1-253.2

   e. Any offense in violation of the following Virginia State Codes:

      1. 3.2-6570
      2. 4.1-309.1
      3. 5.1-13
      4. 15.2-1612
      5. 46.2-339
      6. 46.2-341.21
      7. 46.2-341.24
      8. 46.2-341.26:3
      9. 46.2-817
      10. 58.1-3141
      11. 58.1-4018.1
      12. 60.2-632

13. 63.2-1509
14. 63.2-1727

3. Persons arrested for misdemeanors, which are reportable to the CCRE and are released on a summons, shall not be processed until a disposition of guilt is entered in court. Once a disposition is entered in court the judge will order that the defendant be processed. This will be accomplished by the arresting officer if he/she is present in court or another Emporia police officer will ensure that the processing is completed per the judge's order.

4. Officers effecting arrests, which require CCRE processing must contact the Communications Center to be assigned a case number. Officers may process prisoners at either the Southside Regional Jail or at the Police Department. The following forms must be completed through Live Scan:

   a. One (1) CCRE form to be attached with the warrant;

   b. One (1) FBI fingerprint card to be returned to Records;

   c. Photograph of the prisoner.

5. For misdemeanor arrests and traffic offenses in which the person arrested is released on a Virginia Uniform Summons, all applicable sections shall be completed, and the documentation distributed as follows:

   a. <u>Traffic Offenses</u>

      (1) Original – Court Copy
      (2) Page 2 – DMV
      (3) Page 3 – Defendants Copy
      (4) Page 4 – Department's Copy
      (5) Page 5 – Officers Copy

   b. Misdemeanor Arrest (non-traffic)

      (1) Original – Court Copy
      (2) Page 2 – Discard
      (3) Page 3 – Defendants Copy
      (4) Page 4 – Departments Copy
      (5) Page 5 – Officers Copy

   c. Not more than one violation shall be entered on a Virginia Uniform Summons.

6. In all cases where an arrested person is taken before a magistrate, the officer shall initiate a VCIN/NCIC wanted check on that person. On a

check that is positive, the arresting officer is responsible for ensuring that notification to the originating agency is accomplished.

F. De-Arrest - Officers may find probable cause and arrest an individual only to find out after the arrest that the individual did not commit the crime, or that the event that occurred was not in fact a crime. The officer shall terminate the arrest process immediately upon discovering facts that reveal the arrest was not proper and that further prosecution would not be fruitful. If probable cause ceases to exist, the arrest process shall also cease concurrently.

1. Officers shall contact their supervisor immediately upon discovering that a de-arrest situation may exist.

2. Officers shall ensure that the de-arrested person is restored to their location or position prior to arrest, or improve upon their location or position.

3. Officers will document their action with an incident report. Included in their report shall be:

   a. Date;

   b. Time of Arrest;

   c. Person Arrested;

   d. Location of Arrest;

   e. Location and Time of De-Arrest;

   f. Whether the person was transported or not;

   g. Reason or discovery of information that led to the De-Arrest;

   h. Witnesses to the alleged crime or to the event, which led to the arrest.

G. Mental Disturbance Cases - Police encounters with persons displaying symptoms of mental disorder require the exercise of extreme caution and adherence to established guidelines in order to protect the rights of the individual and ensure public safety. It is the policy of the EPD that non-arrest resolutions of mental cases be attempted whenever possible.

1. Voluntary Admissions - Persons who appear to be in need of mental health treatment but do not pose an imminent danger to themselves or others, should be referred to a mental health facility. A family member or other responsible person is often available to assist the disturbed person in seeking such treatment. Persons who have been or are under the care of a private physician should be referred to the physician.

2. Involuntary Admissions

   a. If no emergency exists, a relative or any responsible person may petition a judge, as defined in the Code of Virginia, 37.2-809, to order the detention and a hearing for a person who is believed to be in need of mental health treatment. This would apply during hours when the court is in session.

   b. During hours when the court is not in session, persons may seek the issuance of a mental detention order from an on-duty magistrate.

   c. Officers should refrain from initiating involuntary admissions unless there is no relative or other responsible person available and/or the disturbed person appears to be dangerous to themselves or others.

2.1.5 ALTERNATIVES TO ARREST

A. Authority - The Code of Virginia, 19.2-74, mandates that police officers will issue a summons and release from custody persons charged with certain misdemeanor criminal offenses. All officers shall adhere to the guidelines set forth in this section. All officers shall issue a summons for misdemeanor violation unless one of the following conditions exist:

   1. Charges of *Driving Under the Influence* or *Drunk in Public.*

   2. If person(s) charged fail or refuse to discontinue the unlawful act.

   3. If person(s) charged are likely to disregard a summons.

   4. If person(s) charged are likely to cause harm to him/herself or any other person.

   5. If person(s) charged fail to properly identify him or herself.

B. Special Circumstances - Police officers are at times faced with situations where arrests and confinement will not produce an adequate solution to the problem. An appropriate referral to a social service agency can be a better alternative. These situations may include:

   1. Mentally and emotionally disturbed persons.

   2. Transient persons who need shelter.

   3. Juvenile offenders.

C. Pretrial Release - Procedures for releasing persons from custody by summons will be in accordance with the Code of Virginia 19.2-73, 74 and 82. See also General Order 31.2.1*, Service of the Criminal Process.*

2.1.6 USE OF DISCRETION

A. Officers will encounter people in need of help that could best be provided by another criminal justice agency or social service agency. Exercising discretion based on the following criteria should assist the officer when referring those in need of help to the appropriate agency:

1. Assess the person's needs through discussion and observation.

2. Listen to the person's request for specific assistance.

3. Weigh the need for immediate aid:

    a. disturbed persons, juvenile problems, non-violent domestic problems, and problems with transient persons are each distinct in nature; they each require specialized referral to different social agencies.

4. Assess the interests of the community when dealing with minor criminal violations. If in the judgment of the officer a more appropriate solution to the problem will be achieved by a referral instead of the filing of criminal charges, then the officer may issue a warning and suggest a referral. When determining if a warning should be issued, officers should consider the seriousness of the offense, the likelihood the violator will heed the warning, and the criminal history of the violator.

B. The actions of all officers are subjected to the specifics of federal, state and local laws. In order to provide proper guidance to and assist officers with decisions involving the use of discretion, the Department provides written policies and procedures, training, departmental orders and specific assignments to all officers.

C. When using discretion, officers must take into consideration the goals and objectives of the Department, interests of the community, mitigating circumstances, and the volatility of their situation.

D. A supervisor shall be consulted when the officer is unsure of what decision would be appropriate. Officers extending their discretionary powers beyond the described parameters will be held accountable for their actions.

2.2 DUTY TO INTERVENE

A. Policy:

It is the policy of the Emporia Police Department Police Department that any employee present either sworn and non-sworn and observing another employee using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intervene to prevent the use of such excessive force. Employees shall promptly report these observations to the on-duty supervisor.

B. Purpose:

1. Legal and Moral Obligation **-** It is the purpose of this policy to explain the legal and moral obligation of Emporia Police Department employees known as the *Duty to Intervene*. This duty is embodied in the Emporia Police Department values and mission statement, in the Law Enforcement Officer's Code of Ethics, and in the law. Department employees shall have a clear understanding of department expectations pertaining to conduct and activities while on and off duty.

2. Protection – The Emporia Police Department is committed to protecting its employees who act on their duty to intervene to prevent or minimize misconduct by another department employee.

C. Definitions:

Intervene ─ To come between, whether verbally or physically, so as to prevent or alter a result or course of events.

D. *Duty to Intervene*

1. All employees must recognize and act upon the duty to intervene to prevent or stop any employee from conducting any act that is unethical, or that violates law or policy (e.g., excessive force, theft, fraud, inappropriate language, sexual misconduct, harassment, falsifying documents, inappropriate behavior, etc.). Intervention may be verbal and/or physical. **Failure to intervene may subject an employee to disciplinary action.**

2. All Emporia Police Department employees benefit when potential misconduct is not perpetrated or when a potential mistake is not made. Preventing misconduct increases public trust and preserves job security and integrity of all department employees, ultimately protecting employees from destroying their careers as a result of misconduct or, in some instances, as a result of a failure to intervene to prevent misconduct by others.

E. *Action Required by Employees*

1. By Officers(s)

a. If aid is required by any individual, ensure that medical attention has been rendered.

b. Take a preventive approach, whenever possible, if observing behavior that suggests that another employee is about to conduct unethical or inappropriate behavior.

c. Examine the circumstances surrounding the incident to determine the appropriate form of intervention.

d. Intervene verbally or physically, depending on the circumstances. For example, while providing backup for a vehicle stop after a minor traffic violation, you notice the primary officer raising their voice and becoming increasingly agitated with the driver, despite the driver's cooperative demeanor. In order to prevent an escalation, you could call the officer's attention to break their agitation, walk up next to the officer and ask a follow up question of the driver to slow down the interaction and give the primary officer a chance to collect themselves, or ask the officer to come speak to you away from the car in order to diffuse the situation.

e. Take an active approach to intervene to stop any unethical behavior or misconduct, when such conduct is being committed by another employee.

f. If verbal interventions are not sufficient to stop the act, physically come between the offending employee and the other individual involved. For example, you observe an officer strike an individual without any reason. If appropriate, you could tell the officer to "cool it" or that you'll take over the matter and have them step aside. If necessary, step in between the officer and the individual or hold the officer back in order to stop them from inflicting more unnecessary force.

g. Immediately notify a supervisor after conducting any type of intervention, when safe to do so.

h. When a physical intervention was performed, the employee is required to document in writing the incident in a memorandum and submit it to the on-duty supervisor. If the intervention was conducted on the on-duty supervisor the employee will submit the memorandum to the appropriate

Division Command and through the chain of command to the Chief of Police.

2. Duty to Intervene by Supervisor(s)

   a. Once learning of an incident involving an employee intervening with another employee, separate all employees involved in the incident.

   b. Ensure the preservation of body worn camera and in-car camera footage.

   c. Conduct a preliminary investigation to gather any pertinent information that would coincide with the reason for the intervention (e.g., witnesses, in-car and body worn camera footage, other video/surveillance footage, area canvass, etc.).

   d. Ensure all parties involved in the incident document in writing their observations/participation in the incident and detailing the circumstances that led to the intervention and what, if anything, occurred once the employee intervened.

   e. Determine whether the actions leading to the intervention constitute misconduct, unethical behavior, or potential criminal conduct, and notify the Division Commander.

   f. If appropriate, consider making a recommendation that the employee who intervened receive recognition for their actions.

3. Duty to Intervene by Division Commander

   a. Review reports of employee interventions received by the supervisor.

   b. Ensure preliminary investigation and findings have been fully documented.

   c. Make a recommendation that the incident be closed, or referred to Internal Affairs for investigation.

   d. Once referred to Internal Affairs, all procedures will follow Chapter 28-Internal Affairs to guide the investigation and determine disposition of the complaint.

   e. When appropriate, issue a recognition of the positive actions of the employee who intervened.

4. Duty to Intervene – Chief of Police

   a. Ensure all incidents resulting from an employee invoking their duty to intervene are reviewed by the Internal Affairs function.

   b. Ensure all such cases are properly entered in the IA Pro database and the investigation is thoroughly investigated by the Internal Affairs function.

   c. There may be circumstance when the investigation may be forwarded to another section of the Police Department for follow-up investigation.

   d. Upon completion of the Internal Affairs investigation, the Internal Affairs Officer will submit their finding to the Chief of Police who will determine if the investigation is complete or the case needs to be further investigated.

   e. If the Chief of Police determines that the investigation has been completed, then the Chief of Police will set up a Disciplinary Hearing to determine the classification of the complaint an employee failing to intervene to stop misconduct.

5. Disciplinary Procedures

   a. All disposition of sustained complaints for Failing to Intervene shall be in compliance with Chapter 16-Disciplinary Procedures.

3.1. DOMESTIC VIOLENCE

3.1.1 PURPOSE

A. To define domestic violence and related offenses, outlines a safe procedure for handling violent incidents and calls, describe measure to end violence and protect victims.

3.1.2 POLICY

A. The Department assigns domestic or family violence (domestic disturbance) calls a high priority. The nature and seriousness of crimes committed between family and household members are not mitigated because of the relationships or living arrangements of those involved. Therefore, law enforcement must exercise leadership in the community in responding to domestic violence. An immediate criminal justice response can make a major difference in the disputants' lives. With all due consideration for their own safety, department personnel responding to a domestic disturbance call shall:

1. Restore Order;

2. Arrest persons when probable cause exists that a crime has occurred;

3. Provide safety and security for the crime victim(s);

4. Help participants contact appropriate agencies to help prevent future occurrences.

B. Definitions:

1. Assault- See Virginia State Code 18.2-57 and 18.2-57.2(Assault and Battery against a Family or Household Member, which upon a third or subsequent conviction of the same or similar offense of any jurisdiction within a ten year period shall be treated as a Class 6 Felony).

2. A related matter, Virginia State Code 18.2-60 criminalizes the sending of letters to household members threatening death or injury.

3. A Magistrate issuing a warrant for a violation of Virginia State Code 18.2-57.2 shall also issue an emergency protective order.

4. Domestic Violence Shelters/Programs – Services that are provided (usually 24 hours a day) for women and their children who have been physically or emotionally abused, or who have been threatened with abuse by their spouses or partners. Services include crisis intervention, counseling, shelter, and escort to court, food, clothing and transportation.

5. Family Abuse – Any threat or act of violence, including forceful detention, which results in physical injury or places one in reasonable apprehension of bodily injury and which is committed by a person against such person's family or household member, reference Virginia State Code 16.1-228.

6. Family Household Member – According to Virginia State Code, 18.2-57.2, 16.1-228, and 19.2-81.3, includes:

    a. Spouses, whether or not residing in the same home.

    b. Former spouses, whether or not residing in the same home.

    c. Persons who have a child in common, whether or not they have ever been married or resided together.

    d. Parents, children, step-parents, step-children, grandparents, grandchildren, brothers and sisters regardless of whether they reside in the same home with the suspect.

    e. Parents-in-law, children-in-law, brothers and sisters-in-law who reside in the same home with the suspect.

    f. Persons who cohabit or who, within the previous 12 months cohabited with the suspect, and any children of either who then resided in the same home as the suspect.

    g. Warrants against family/household members are heard in the Juvenile and Domestic Relations Court.

7. Predominant Physical Aggressor – The party that poses the greatest threat. The predominant physical aggressor is not necessarily the first disputant to engage in assaultive behavior, but the one with the most ability and inclination to inflict physical injury. Officers shall identify a predominant physical aggressor based on the totality of the circumstances. Some or all of these characteristics may be present:

    a. Evidence that any of the parties acted in self-defense.

    b. A history of violence (prior assault convictions) of the parties involved, including history of calls for service.

    c. The relative severity of injuries inflicted on all parties, plus consideration whether the injuries were offensive or defensive.

    d. The relative size, bulk, and strength of the parties involved.

    e. Evidence from person involved in or witnesses to the incident.

f. The likelihood of future injury to any party.

g. Current or previous protection orders filed against either party.

h. The likelihood of future injury to any party.

8. Protective Order – A court order of protection on behalf of an abused family/household member that restrains the abuser from further acts of violence, may order the abuser to refrain from further contact, vacate the residence, relinquish custody of a vehicle, plus other measures, and see Virginia State Code 16.1-279.1. A protective order may be valid up to two years. Types of Protective Orders that may be issued are:

   a. Emergency Protective Order/ EPO for Stalking.

   b. Preliminary Protective Order/PPO for Stalking.

   c. Full Protective Order/ Po for Stalking.

   d. Statutes that are relevant to protective orders include Virginia State Code 16.1-251, -253.1, -253.2, 253.4, -279.1, 18.2-60.4, 19.2-81.3.

9. Stalking – Any person who on more than one occasion engages in conduct directed at another person with the intent to place, or with the knowledge that the conduct places, that other person or the person's family or household member in reasonable fear of death, criminal sexual assault, or bodily injury (A Class 1 misdemeanor, 18.2-60.3).

   a. Stalking behaviors include following a person to home, work, and other places, parking outside home or office, threatening note or telephone calls, threats or computer based, on-line threats.

   b. A person who violates any provision of a protective order related to stalking is guilty of a Class 1 misdemeanor.

10. General Responsibilities-Procedures – Department personnel shall refer victims of domestic violence and stalking to appropriate community resources (family violence/sexual assault unit, victim/witness assistance program, mental health agencies, medical doctors, legal assistance agencies, and domestic violence shelters/programs). Where possible, officers shall help victims directly access referral agencies. Referrals help prevent future disturbances

    a. Department personnel shall be trained about domestic violence and its impact. Personnel must be well trained to confront unexpected violence. Disturbance calls can be dangerous to responding officers.

b. Officers are encouraged to consult community resources such as the family violence/sexual assault unit, local domestic violence shelters and victim/witness advocacy program.

11. Dispatcher Responsibilities – Because the dispatcher is likely to be the first person to receive the call, he or she is instrumental in determining the type of response. The dispatcher is responsible for deciding whether an officer is needed at the scene. To make that decision, the dispatcher shall determine the following, if possible:

    a. Who is complaining? Phone Number? Location and identity of the suspect/aggressor?

    b. Name of caller and location of incident? Location of caller and complainant, if different? Phone Numbers?

    c. Is the crime (incident) in progress or when did it occur?

    d. Is a weapon involved?

    e. Have people at the scene been injured? Is an ambulance needed?

    f. Presence of children? Witnesses?

    g. At this point, if evidence of injury or a weapon exists, someone has threatened violence, or the complainant requests an officer, dispatch one, preferably two officers and an ambulance, if needed.

    h. The dispatcher shall perform an NCIC/VCIN inquiry and give the results to the responding officer(s) before their arrival at the scene. Keep the caller on the telephone, if possible, and obtain additional information.

    i. Suspect's whereabouts? If not known, obtain vehicle description, direction of travel, and elapsed time and access to weapons.

    j. Was drugs or alcohol involved?

    k. A History of Calls to this Address? Outstanding warrants on Disputants? Probation/Parole status of suspect/aggressor?

    l. A history of previous arrests?

    m. Is there a protective order in effect?

    n. The dispatcher shall maintain telephone contact until the officers arrive in order to monitor the incident and provide support to the

victim. The dispatcher shall advise the victim of the intended department response.

o. Use crisis intervention skills.

p. The dispatcher shall provide the responding officer with as much information as possible to identify risks at the scene.

q. It should be understood that the Family Violence and Sexual Assault Unit may have information not available to the police in regard to incidents and history of violence not reported to the police.

12. Patrol Officer Responsibilities

a. Arrival at the scene: Obtain all information from the dispatcher before arrival.

b. Approaching the scene:

(1) When possible, officers should wait for back up, discuss a strategy, and approach the dispute scene in pairs.

(2) Avoid the use of sirens and other alarms in the vicinity of the scene. The suspect might be dangerous and could turn a weapon upon the arriving officers.

(3) Observe the location of the dispute before contacting the complainant. Consider the surroundings. Park the marked car a short distance away. Each officer should follow a separate approach to the scene of the dispute, maintaining maximum cover and an escape route. From this point on, officers should remain within sight of one another, if possible.

(4) Before knocking on the door, listen and look in any nearby window to obtain additional information about the situation (e.g., layout of the house, number of people, weapons, evidence of violence or damage).

(5) Officers must be concerned for their own safety as well as the disputants'. To minimize the possibility of injury, stand to the side of the door and not in front of windows when knocking. The unexpected may occur when the door opens.

13. Initial Contact with Occupants

a. Identify selves as law enforcement officers by name, give an explanation of your presence, and request entry into the home

(when conditions permit). Ascertain identity of complainant, and ask to see him or her and any other person at the home

(1) Officers shall not accept statements from any disputant or witness that the call was a mistake without investigating further.

(2) Officers shall not leave without interviewing the complainant.

b. If entry is refused, officers must make sure that there are no injured persons are inside. If no one responds to knocking, officers shall try to establish voice contact by shouting for an answer.

c. Refusal of entry or no response to a knock at the door may require a forced entrance only if officers have a reasonable suspicion that the safety of people inside may be in jeopardy.

(1) In deciding to make a forced warrantless entry, officers shall evaluate the following elements:

(a) The degree of urgency involved and the time required to obtain a warrant.

(b) The possibility of dangers to others, including officers left to guard the site.

(c) Whether the suspected offense involved violence.

(d) Whether the officers reasonably believe that persons may be armed.

d. Officers may conduct a search of the premises if consent has been given to do so. Although a consent search eliminates the need for a warrant and for probable cause, such consent must be given freely and voluntarily. If two people have joint ownership or possession of a place or thing, either one may give a valid consent.

(1) A spouse can consent to the search of premises used jointly by both husband and wife. This also applies if the man and woman are unmarried cohabitants. If one of them exercises sole control over part of the premises, the other cannot give valid consent to search that part.

(2) If the complainant has asked for law enforcement assistance in retrieving personal property from his or her

residence, the officer must first determine if the complainant has lawful authority to do so. If so, the officer shall stand by to preserve the peace, but may advise the disputants that rights to any disputed property can only be determined by the Courts.

e. Officers may also make a warrantless entry to conduct a search if an emergency exists. Officers must have a reasonable belief that such an emergency does exist (for example: officers believe that someone, perhaps children, is in need of emergency assistance).

(1) Officers shall evaluate the following elements when considering a warrantless entry:

(a) The degree of urgency involved and the time required to get a warrant.

(b) The possibility of danger to others, including officers left to guard the site.

(c) Whether the suspected offense is serious or involves violence.

(d) Whether officers reasonably believe that persons may be armed.

(2) Finally, officers are reminded that they have a lawful right to investigate any situation that they reasonably believe to be an emergency.

f. Once inside, establish control by:

(1) Inquiring about the nature of the dispute.

(2) Identifying disputants.

(3) Being aware of potential weapons in surroundings.

(4) Determining if persons are in other rooms, whether children or adults, and the extent of any injuries (these persons should be separated from the parties involved and kept out of hearing range so their status as potential witnesses won't be compromised).

g. Protect the victim from further abuse. Separate the victim from the suspect and arrange for medical attention if the victim is injured. If the victim appears injured and yet refuses medical assistance,

carefully document any observed injuries, as well as the refusal of medical treatment.

h. Photograph the victim's injuries.

i. Ascertain whether a protective order has been violated.

j. If weapons (whether firearms, knives, or any other object which could be used as a weapon) are present, secure them away from the disputants, if practicable, while the disputants are being interviewed. If officers determine that weapons should be removed from the premises, contact the on-duty supervisor. Refer to Virginia State Code 18.2-308.1:4, which prohibits persons under a protective order from purchasing or transporting firearms.

14. Transportation of Victim(s) – Transporting family/household members to the hospital, shelter or magistrate. See Chapter 28, Victim/Witness Assistance (concerning transportation services for victim).

    a. Officers shall transport victims to a safe location as they wish or as the circumstances require. See Virginia State Code 19.2-81.3 and 19.2-81.4.

    b. If a complainant seeks officers' help in entering his or her residence to obtain personal property, the officers must determine that the complainant has lawful authority to do so; must advise all parties that they are accompanying the complainant to obtain items for immediate personal (or children's) use; that the officers' function is to maintain order; that any dispute over property is a matter for the courts to decide.

15. Interviewing ALL Disputants – Be aware that parties may make excited utterances that may have evidentiary value. Record these utterances when practicable and note them in your report. After the parties have given their statements, the officers should ask about details for clarification, and summarize the stated accounts (which allow the parties to point out anything that might be misrepresented).

    a. Ensure safety and privacy by interviewing the victim in a place separate from the suspect, if identifiable.

    b. Critical to the success of the interview is the officer's manner. Officers must listen, show interest in the disputants and their problem, and remain aware of non-verbal communication signals.

    c. Officers shall attempt a low-key approach in domestic violence cases. Maintain good eye contact through natural, spontaneous glances. (Fixed gazes or staring increases fear and hostility.) A

relaxed stance and appropriate facial and head movements demonstrate interest and encourage the victim to continue speaking.

d. If possible, separate the parties so that they can individually describe the incident without interruption. (This may help the parties relieve emotional tension.) Although the disputants may be separated, officers shall remain within sight and hearing of each other.

16. Interviewing the Victim – Ascertain the following information from the victim:

    a. What happened?

    b. Any Injuries, which caused them, and what weapons or objects were used?

    c. Relationship to Suspect?

    d. Any threats made against victim or others?

    e. Forced sexual contact against victim's will?

    f. Any court cases pending against suspect or any protective orders in effect?

    g. Is suspect on either probation or parole?

    h. Did suspect threaten others, particularly children, damage property, or hurt pets?

17. Interviewing Witnesses

    a. Interviewing any witnesses to the incident (children, other family members, neighbors, any witnesses to the incident (children, other family members, neighbors) as soon as possible.

    b. Remember that witnesses may be experiencing significant emotional crises that might influence the accuracy of their accounts.

    c. If witnesses provide information about their prior assaults, document them to help establish a pattern.

    d. Children of disputants should be interviewed with care and kindness. Sit, kneel, or otherwise be at their level when speaking to/with them. Signs of trauma or abuse should be noted.

18. Issuance and Procedures of Protective Orders

a. Emergency Protective Orders (EPO) in Domestic Violence Cases- the EPO aims to protect the health or safety of any person. Regardless of a decision to arrest, if an officer has at least a reasonable belief that family abuse has occurred and there exists probable danger of further abuse, the officer shall petition a judge or magistrate to issue an EPO. See Virginia State Code 16.1-253.4.

(1) If circumstances make it impossible or inappropriate for an officer to obtain an EPO, the officer shall advise the victim that he or she can request an EPO directly from a magistrate or the Juvenile and Domestic Relations Court.

(2) The victim does not need to press charges or swear a warrant. The presence of the victim or suspect is immaterial to obtaining an EPO.

(3) An EPO may order a stop to abusive behavior, prohibit contact between parties, order the abuser out of a shared home, and to provide other relief.

(4) An officer can petition for an EPO by telephone or in person.

(5) The EPO expires 72 hours after issuance. If the expiration would occur when court is not in session, then the EPO expiration is delayed until 5:00 pm of the next business day. Note that a law enforcement officer may request an extension of an EPO if the person in need of protection is mentally or physically incapable of doing so. The victim can petition for a preliminary protective order before the expiration of an EPO.

(6) The Officer shall compete the form DC-626 and serve a copy to the respondent as soon as possible. The order cannot be enforced until the abuser has been served. The dispatcher shall enter the relevant information into VCIN upon receipt and update the entry upon service of the order.

(7) The officer shall submit the original order to the issuing judge or magistrate, provide a copy to the victim and attach a copy to the incident report.

b. Emergency Protective Order (EPO) in cases of Stalking – The victim of stalking may obtain an EPO once he or she has sworn

out and arrest warrant for the offense under Virginia State Code 18.2-60.3, see also Virginia State Code 19.2-152.9 and 19.2-152.10. The abuser can be anyone, not necessarily a family or household member. The EPO cannot be issued until an arrest warrant has been obtained.

(1) An EPO for stalking may order the stalker to stop the threatening behavior, prohibit the stalker from contacting the victim in any way, and provide other relief.

(2) An officer can request a warrant and an EPO by telephone or in person under a reasonable belief that stalking has occurred and will occur in the future. Further, the victim can request an EPO in person at the office of the Magistrate or the General District Court Clerk's Office.

c. Preliminary Protective Order (PPO) in Domestic Violence cases- An abused/family member may petition the Juvenile and Domestics Relations Court for a PPO under authority of Virginia State Code 16.1-253.1. After an ex-parte hearing and based on immediate and present danger of family abuse or evidence sufficient to establish probable cause that family abuse has recently occurred, the court may issue a PPO (protecting the petitioner or his or her family, or both). At the hearing where the PPO is issued, a hearing for a permanent or full protective order shall be set. The PPO is valid for 15 days.

(1) The PPO may order the suspect to stop the abusive behavior, prohibit contact between parties, order the abuser out of a shared home, grant exclusive.

(2) A victim does not have to have an EPO in order to obtain a PPO.

(3) The victim must petition the Juvenile and Domestic Relations Court for a PPO.

(4) The Dispatcher shall enter the order into VCIN upon receipt, which record shall be updated upon service of the order.

d. Preliminary Protective Order (PPO) in stalking cases – Generally, the provisions of the above apply in stalking cases. The victim must go to the Juvenile and Domestic Relation Court of the jurisdiction where the stalking occurred to petition for the PPO.

(1) A PPO may order the abuser to stop the stalking behavior, prohibit contact between parties, and provide other relief as necessary.

e. Full Protective Orders in Domestic Violence and Stalking Cases

(1) Domestic Violence – In addition to the restrictions and prohibitions placed in a PPO, the full protective order may require the abuser to pay for the victim and children to live elsewhere, and for the abuser to receive treatment or counseling.

(a) The victim and the abuser must attend a protective order hearing at the Juvenile and Domestic Relations Court.

(b) The full order is valid for up to two years.

(2) Stalking – The full protective order observes the same general restrictions and prohibitions of a protective order for domestic violence.

(a) The victim and abuser must attend a protective hearing at the Juvenile and Domestic Relations Court.

(b) The full order is valid for up to two years.

f. Full Faith and Credit – Officers shall enforce all protective orders from other states or possessions of the United States as if they were issued in Virginia. Enforcement of out of state protective orders does not require that they be registered in Virginia. If officers are unable to verify an outstanding protective order, they must nevertheless honor it. Officers cannot arrest for violation of the order, if the violator has not been served with it.

g. Purchase or Transportation of a Firearm by a Person Subject to Protective Orders – 18.2-308.1:4 prohibits any person subject to a protective order for domestic violence or stalking from purchasing or transporting a firearm while the order is in effect, punishable as a class 1 misdemeanor. Firearms transported or purchased in violation of this law shall be confiscated and subject to forfeiture.

19. Arrest Procedures in Domestic Violence Cases

a. Officers may make an arrest without a warrant if they have probable cause to believe that a felony has been committed in or out of his/her presence. Virginia State Code specifies the

misdemeanors for which officers can arrest for offenses not committed in their presence

b. Further, the department promotes a policy of arrest when the elements of an appropriate offense are present. Officers are reminded that they cannot release the abuser on a summons, but must take the abuser before a magistrate.

c. Officers who develop probable cause that a person was the predominant physical aggressor in a violation of Virginia State Code 18.2-57.2-Assault and Battery against a family/household member; 16.1-253.2-violation of a protective order, shall arrest and take him or her into custody. Officers who develop probable cause that a person has committed stalking shall arrest and take that person into custody. If the no-contact, no trespass or no further abuse provision of the protective order is violated then it is treated as its own Class 1 misdemeanor offense.

d. Knowing that the safety of the complainant or victim probably will be compromised by an arrest, and recognizing that circumstances may preclude physical arrest, the officer must decide within his or her discretion whether to arrest.

e. <u>Officers shall not instruct victims to obtain warrants for applicable offenses.</u>

f. <u>Officers themselves shall obtain the warrants if circumstances so require.</u>

g. <u>If circumstances dictate no arrest, then the officer will still complete an incident report documenting the facts of the case.</u>

(1) If an arrest is made, advise the victim that the case may be prosecuted even if the victim later declines to testify;

(2) If officers cannot identify a predominant physical aggressor and do not make an arrest, they shall fully document the incident. Further, officers shall not threaten to arrest all parties involved for the purpose of discouraging future request for law enforcement intervention.

h. In cases where the conditions of a protective order have been violated, officers shall review the victim's copy of the order, checking it for validity. If a protective order exists and its terms no contact, no trespass or no further abuse are violated then the officer shall arrest the violator if probable cause exists.

i. Officers making arrests under Virginia State Code 19.2-81.3 and 18.2-60.3 shall petition for an emergency protective order. If the officer does not arrest but a danger of family abuse still exists, the officer shall petition for an emergency protective order.

(1) If children are involved in the incident, officers shall contact the on-call Child Protective Services worker if a child is abused or neither parent can reasonably look after the child's safety and well-being (neglect is a separate, reportable offense).

(2) If the abuser is not present, officers shall try to serve the protective order as soon as possible and shall so advise the victim once service has been made (and officers shall arrange to have the order entered into VCIN upon receipt.

j. In determining probable cause, the officer shall not consider:

(1) Whether the parties are married or living together, or their race, sex, ethnicity, social class, or sexual orientation.

(2) Whether the complainant has not sought or obtained a protective order.

(3) The Officers own preference to reconcile the parties despite the complainants insistence that an arrest be made.

(4) That the complainant has called for law enforcement protection previously and has not pursued or has withdrawn the criminal complaint against the abuser.

(5) That the complainant has not begun divorce proceedings.

(6) Assurances of either disputant that the violence will stop.

(7) The lack of visible bruises or injuries.

(8) Denial by either disputant that violence occurred.

k. Officers shall be alert to the elements of a stalking arrest. Ask Victims:

(1) Is the suspect following you or did he or she follow you?

(2) Is the suspect harassing you or did he or she harass you?

(3) Is the suspect threatening you or did he or she harass you?

l. The possibility of other offenses shall not be overlooked. Other related offenses include:

(1) Marital Sexual Assault

(2) Violation of a Stalking Protective Order

m. Factors Favoring the Decision to Arrest – Arrest is the most appropriate response when these factors are present:

(1) Serious, intense conflict

(2) Use of a Weapon

(3) Previous Injury or Damage

(4) Previous Court Appearance against the Offending Party

(5) Previous attempt to sever the relationship

(6) Previous calls for law enforcement help

(7) When a felony has occurred

(8) Evidence of drugs or alcohol use during the assault

(9) Offenses committed with the officer present

(10) Valid warrants on file for other crimes

(11) A protective order has been violated. Charge as a Class 1 misdemeanor under Virginia State Code 16.1-253.2.

(12) Aggressive behavior toward pets, anyone, anything or threatening behavior.

n. Making the Arrest

(1) Arrest the suspect of he or she is present, apply handcuffs, inform him or her that the decision to arrest is a law enforcement one, and transport securely to the jail/magistrate.

(2) If the suspect is absent or has been arrested, transport (or arrange transportation for) the victim to a safe shelter or

other appropriate place. Circulate a “BOLO” message describing the suspect and arrange for an arrest warrant.

(3) If an arrest must be made because of a protective order has been violated, verify its validity by:

(a) Examining the victim’s copy, if available.

(b) Having communications search VCIN or contact the jurisdiction that issued the order to confirm its currency.

o. If the Abusive Person is Not Arrested

(1) Complete an incident report and give a copy or arrange to have a copy given to the victim. This applies to both victims of domestic assault as well as stalking.

(2) Advise the victim of the importance of preserving evidence.

(3) Explain to the victim about protective orders and how to obtain them and offer to help the victim obtain them later.

(4) If the victim wants to leave the premises to ensure safety, remain at the scene while the victim packs essentials. Advise the victim to take only personal items plus important papers.

(5) Contact the Family Violence and Sexual Assault Unit who will provide assistance and give resources to the victim.

(6) Assure the victim that the Emporia Police Department shall assist in future emergencies and explain measures for enhancing his or her own safety.

p. Gathering Evidence

(1) Physical evidence takes three forms in domestic violence cases:

(a) The injuries of the victim;

(b) Evidentiary articles that substantiate an attack;

(c) The crime scene itself.

(2) The victim's account of injuries sustained should be corroborated by a physician.

(3) When feasible, take photographs of injuries.

(4) Photograph the crime scene to document that a struggle occurred.

(5) Collect evidence according to the same principles as applied to any other crime scene.

(6) If the suspect is under a domestic violence or stalking protective order and appears to have purchased or transported a firearm, confiscate the weapon in accordance with Virginia State Code 18.2-308.1:4.

(7) Seize any weapons that the predominant physical aggressor used or threatened to use in the commission of any crime.

(8) Obtain statements from all witnesses, particularly noting any excited utterances that bear on the incident.

q. Documenting the Incident

(1) All incident reports on domestic violence and stalking shall follow a general reporting procedure with special attention to the victim's services.

(2) Include in all reports of domestic violence:

(a) Facts and circumstances of domestic violence including a description of why one individual was determined to be the predominant physical aggressor.

(b) Victim's statements as to the frequency and severity of prior incidents of abuse by the same family or household member.

(c) The victim's statements as to the number of prior calls for law enforcement assistance.

(d) The disposition of the investigation.

(3) In any case involving domestic violence, stalking or related crimes, thoroughly document probable cause to arrest.

(4) If an arrest is not made for domestic violence or stalking, the incident must still be documented, where either no probable cause existed, or circumstances dictated another course of action. In such cases, in addition to the above consideration, officers shall note:

(a) What referral information was given?

(b) The name and organization of any resource given.

(c) The reason why no arrest was made, nor any warrant issued.

(5) All incident reports of domestic violence, stalking, or sex offenses will be completed and a copy will be forwardedto the Family Violence and Sexual Assault Unit.

(6) If children are present and there is a presence of abuse or neglect, the officer will prepare and forward a report to the Department of Social Services.

(7) Regardless of whether an arrest is made, the officer shall provide appropriate information to the victim, both orally and in writing, about legal and community resources available. The officer can fully accomplish this requirement by contacting the on-call Family Violence and Sexual Assault Unit and they provide the victim with all the resources that they need.

(8) At the conclusion of legal proceedings, return evidentiary property to the victim. Coordinate the victim's appearance in court or for lineups.

r. Arrests of Law Enforcement Personnel

(1) If the predominant physical aggressor or abuser is an employee of this agency, the responding officer shall summon the on-duty supervisor, who shall contact the Major and the Chief of Police.

(2) The scene shall be secured and medical attention summoned, if required. The employee shall be disarmed or removed from access to weapons. The possibility exists that the employee's departmental weapon may be evidence of an offense.

(3) The Support Division Commander shall be summoned and will be begin a criminal investigation.

(a) If probable cause to arrest exists, the Support Division Commander shall arrest and gather evidence, to include taking photographs consistent with this general order.

(b) The Support Division Commander shall work with the responding patrol officer to ensure that the victim receives medical attention, if necessary, is transported to a hospital or safe shelter, and that all reports are completed, evidence gathered and photographs taken.

(c) The Support Division Commander will ensure that an Emergency Protective Order is obtained.

(d) The Support Division Commander will as soon as possible present the case with the Commonwealth Attorney.

(4) Upon termination of the criminal investigation, the Internal Affairs Unit will undertake an internal affairs investigation into the incident. The Chief of Police with the City Manager's approval may place the employee on administrative leave pending the outcome of the investigation.

(a) Suspended employees shall immediately turn in all agency issued weapons, vehicles, badges, and identification to their section supervisor.

(b) If the internal affairs investigation supports a violation of agency policy, the Chief of Police will take appropriate action consistent with personnel rules. Further if the investigation confirms that domestic violence occurred, the Chief of Police, with the City Manager's approval may require counseling, psychological evaluation, demotion or termination of employment.

(c) Federal law states that any person, including a law enforcement officer convicted under any state or federal law for a misdemeanor involving the use, attempted use of physical force, or the threatened use of a deadly weapon when committed by a current of former spouse, parent or guardian of the victim, a person sharing a child in common, or a cohabitant of the victim (past or present), is prohibited from shipping, transporting, possessing or

receiving firearms or ammunition. The offense nay have occurred at any time. Law enforcement officers convicted of offenses involving weapons or threats of force may therefore be unable to maintain their law enforcement certification.

(d) Officers who are subject to a protective order shall not carry firearms. Officers who are subject of a protective order shall turn in all agency issued weapons.

(e) Refer to Rules and Regulations D-7 for guidance on arresting officers of this department, and for requirements that employees report court actions to which they are a party to.

(5) The Chief of Police shall ensure that any court orders or injunctions are served on the employee at the agency. The Chief of Police shall ensure that legal papers are served in a private setting so that supervisory personnel can coordinate process service with counseling or psychological services.

(a) The employee's supervisor shall monitor the employee's behavior. Upon service of any court papers, the supervisor shall be present to review any affidavits supporting such papers. The supervisor shall stay alert to behavior that may be unseemly or indicative of problems requiring professional intervention.

4.1 BIAS-BASED POLICING

4.1.1 PURPOSE

The purpose of this policy is to reaffirm the Department's commitment to unbiased law enforcement in all its encounters between officers and any person.

4.1.2 POLICY

It is the policy of this Department to conduct law enforcement procedures in a proactive manner and to aggressively investigate suspected violations of law. Officers shall actively enforce state laws and local ordinances in a responsible and professional manner, without regard to race, ethnicity, gender or national origin. Officers are strictly prohibited from engaging in bias-based profiling as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers, or pedestrians.

4.1.3 DEFINITIONS

A. Articulative – shall mean the ability to definitely correlate an individual's actions, or other circumstances associated with an individual, with a legitimate reason for initiating a law enforcement contact.

B. Bias – shall mean prejudice or partiality which may be based on preconceived ideas, a person's upbringing, culture, experience or education.

C. Bias-Based Profiling - shall mean the act of selecting or targeting a person(s) for law enforcement contact based exclusively on the individual's race, ethnicity, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable group, and not upon reasonable suspicion sufficient to justify law enforcement initiated action or contact.

D. Detainee shall mean any person(s) detained as a result of law enforcement contact for the purpose of a criminal investigation, regardless of the level (misdemeanor or felony), in which the individual is not under arrest.

E. Ethnicity – A cluster of characteristics which may include race but also cultural characteristics or traits which are shared by a group with a common experience or history.

F. Gender – Unlike sex, a psychological classification based on cultural characteristics or traits.

G. Law Enforcement Contact - will include but not limited to:

    1. Pedestrian stop;

2. Vehicle traffic stops;

3. Field interrogation.

H. Officer - shall apply to all sworn departmental members, police or animal control, regardless of rank, title, or assignment.

I. Pretextual – Refers to the officer's pretext or reason for making the stop.

J. Probable Cause – Facts or apparent facts and circumstances within an officer's knowledge and of which the officer has reasonable, trustworthy information to lead a reasonable person to believe that an offense has been or is being committed, and that the suspect has committed the crime.

K. Profile – A legitimate profile, sanctioned by the Department, is a very specific attribute, or cluster of attributes or characteristics, that form the basis for reasonable suspicion of criminality. A profile is only valid for a limited time and under limited circumstances, most often for drug trafficking. These attributes or characteristics are established in writing based on considerable training and experience. A legitimate profile will not be based solely on a person's race, sex, sexual orientation, gender, national origin, ethnicity, age or religion.

L. Race – A category of people based on common physical or genetic traits or characteristics. As distinct from ethnicity, race only refers to physical characteristics sufficiently distinctive to group people under a classification.

M. Racial Profiling – The unlawful detention, interdiction, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics. Racial Profiling is strictly prohibited by this Department.

N. Reasonable Suspicion – Articulable, objective facts which lead an experienced officer to suspect that a person stopped has committed, is committing, or may be about to commit a crime. A well founded suspicion is based on the totality of the circumstances and does not exist unless it can be articulated. Reasonable suspicion supports a stop of a citizen.

O. Sex – A biological classification, male or female, based on physical and genetic characteristics.

P. Stop – The detention of a subject for a brief period of time, based on reasonable suspicion. A stop is an investigative detention. A citizen may not conclude a stop; the officer concludes the stop when his or her articulable concerns are satisfied.

4.1.4 PROCEDURES

A. Context of Bias:
Bias occurs most often in field interviews, stops (for traffic or investigative detention), or in narcotics cases.

B. Officer Responsibilities

1. Officers are prohibited from stopping, detaining, searching or arresting anyone solely because of the person's race, sex, sexual orientation, gender, national origin, ethnicity, age, or religion. These characteristics, however, may form part of reasonable suspicion or probable cause when officers are seeking a suspect with one or more of these attributes.

2. Reasonable suspicion or probable cause shall form the basis for any enforcement actions or decisions. Citizens shall only be subjected to stops, seizures, or detention upon reasonable suspicion that they have committed, are committing, or are about to commit an offense. Officers shall document the elements of reasonable suspicion and probable cause in appropriate reports.

3. Officers shall observe all constitutional safeguards and shall respect the constitutional rights of all citizens.

    a. As traffic stops furnish a primary source of bias-related complaints, officers shall have a firm understanding of the warrantless searches allowed by law, particularly the use of consent. How the officer disengages from a traffic stop may be crucial to a citizen's perception of fairness or discrimination.

    b. Officers shall not use the refusal or lack of cooperation to justify a search of the citizen's person or vehicle or a prolonged detention once reasonable suspicion has been dispelled.

4. All personnel shall treat citizens with the same courtesy and respect that they would have citizens observe to department personnel. To this end, personnel are reminded that the exercise of courtesy and respect engenders a future willingness to cooperate with law enforcement.

5. When feasible, personnel shall offer explanations to citizens of the reasons for enforcement actions or other decisions that bear on citizens' well-being unless the explanation would undermine an investigation or jeopardize an officer's safety. When concluding an encounter with a citizen, personnel shall thank him or her for cooperating.

6. When feasible, all personnel shall identify themselves by name. When a citizen requests the information, personnel shall give their departmental identification number, name of the immediate supervisor, or any other reasonable information.

7. Unless required by law, a citizen's refusal to cooperate or provide information does not create any justification for further enforcement action. Refusal to sign a summons or failure to obey a lawful order of an officer are examples of exceptions to voluntary cooperation.

8. All personnel are accountable for their actions. Personnel shall justify their actions when required.

C. Supervisory Responsibilities

1. Supervisors shall be held accountable for the observance of constitutional safeguards during the performance of their duties. Supervisors shall identify and correct instances of bias in the work of their subordinates.

2. Supervisors shall use the disciplinary mechanisms of the department to ensure compliance with this order and the constitutional requirements of law enforcement.

3. Supervisors shall be mindful that in accounting for the actions and performance of subordinates, supervisors are key to managing community trust in law enforcement. Supervisors shall continually reinforce the ethic of impartial enforcement of the laws, and shall ensure that personnel, by their actions, maintain the community's trust in law enforcement.

4. Supervisors are reminded that biased enforcement of the laws engenders not only mistrust of law enforcement, but increases safety risks to personnel. Lack of control over bias also exposes the department to liability consequences. Supervisors shall be held accountable for repeated instances of biased enforcement of their subordinates.

5. Any criminal profiling requires supervisory participation and oversight. Any criminal profiles used in enforcement shall be authorized by the chief of police per a detailed, written analysis. All criminal profiles shall be authorized in writing and shall be self-cancelling after a specified date. Upon cancellation, supervisors shall prepare a report on the utility and results of the profile and submit it to the chief of police via the chain of command.
6. Supervisors shall ensure that all enforcement actions are duly documented per departmental policy. Supervisors shall ensure that

all reports show adequate documentation of reasonable suspicion and probable cause, if applicable.

D. Pretextual Traffic Stops:

1. Pretextual traffic stops, or those in which the explanation to the citizen of the reason for the stop may not reflect all of the officer's actual reasons, are legal and in some circumstances are necessary.

2. Note that the officer's subjective intent (pretext) is irrelevant when stopping a vehicle; the legitimacy of the stop will be gauged by its objective reasonableness. As long as an officer has at least one legal reason for stopping a vehicle (such as a minor traffic violation), then it is irrelevant that the officer had some suspicion unrelated to the traffic stop.

4.1.5 RESTRICTIONS FOR OFFICER INITIATED LAW ENFORCEMENT CONTACT

A. Officers may initiate contact with any person but must understand and explain to the individual if asked, that said individual is free to refuse to engage in conversation and may walk away if they so choose.

B. No Individual will be stopped or detained based exclusively on their race, ethnicity, gender or national origin.

C. No detainee, once cited or warned, will be detained beyond the point where there exists reasonable suspicion of further criminal activity.

4.1.6 COMPLAINANTS

A. Any person may file a complaint with the Department if they feel that they have been stopped, detained and searched based solely on a biased based profile.

B. No person will be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because they have filed such a complaint.

C. Any Department personnel contacted by a person who wishes to file such a complaint will immediately contact the on-duty supervisor, who will respond to the scene. The supervisor shall advise the complainant of the citizen complaint process procedures and document the complaint. All complaints will be forwarded to the Chief of Police who will review and process the complaint in accordance with *General Orders* Chapter 29, *Internal Affairs*.

D. Upon conclusion, all complaints of biased-based policing will be forwarded to the Chief of Police and will contain findings, suggestions for disciplinary action, or change in policy, training, or tactics.

E. Dependent on the findings of each complaint, as well as the specific factors involved, corrective measures will be taken to remedy violations of this policy. Corrective measures may include but are not limited to, training, counseling, policy review, and discipline up to and including termination of employment.

4.1.7 ANNUAL EVALUATION

On an annual basis, the Chief of Police will compile a statistical summary of all bias-based profiling complaints, which will include the findings as to whether each case was sustained, not sustained, unfounded or exonerated.

4.1.8 TRAINING

A. On an annual basis all employees will receive training on the harms of bias-based policing and discrimination to include proactive enforcement tactics, cultural diversity, courtesy, interpersonal communication skills, as well as a review of this general order.

B. All entry level employees will receive training on the harms of bias-based policing as stated above in section 4.1.8 A of this general order.

5.1 USE OF FORCE

5.1.1 USE OF FORCE GENERAL POLICY

A. General Policy

1. This policy is for departmental use and does not create or affect an officer's alleged criminal or alleged civil liability in any court proceeding. This policy should not be considered as an establishment of a higher standard of safety or care in regulating employee actions as they may pertain in cases of third party claims. Violations of this policy will only form the basis of administrative actions taken by the Department against an employee. Violations of law will form the basis of any criminal or civil proceedings, and these cases would be conducted within the appropriate court system.

2. When confronted with a situation where force is necessary to affect an arrest or accomplish a lawful objective, EPD personnel will only use reasonable force necessary to affect an arrest or accomplish a lawful objective. The use of force by members of this Department will be governed by the concept of this Department's *force continuum* that permits an officer to respond in a safe, appropriate manner by using the appropriate amount of force to overcome resistance or imminent danger without employing excessive amounts of force.

3. Officers responding to any incident that may require the use of force WILL NOT:

   a. Sit, kneel or stand on an individual's back or chest;

   b. Stand or kneel on a subject's head, face or neck area;

   c. Offensively kick and/or stomp on a subject.

      (1) Kicks are authorized for defensive purposes only.

   d. Use of neck restraints and chokeholds are strictly prohibited and will not be utilized by a member of the Emporia Police Department.

   e. Transport an individual in a face down position, especially when handcuffed. This will serve to prevent positional asphyxia that occurs when the position of an individual's body interferes with their ability to breathe. If an individual is having trouble breathing or is demonstrating life-threatening symptoms, medical assistance will be summoned immediately.

5.1.2 FORCE CONTINUUM

A. Force Continuum – Officers must be familiar with all components in the force continuum and be prepared to respond at the level required by the threat at that moment in time.

B. Training – All officers will undergo all training required (basic, annual or other training as necessary and/or assigned by supervisory staff). The Chief of Police will monitor Blue Team Use of Force incidents and make recommendations for remedial training when appropriate. The *force continuum* for the EPD is as follows:

1. Mere Presence – The mere presence of an officer displaying a professional demeanor may suffice to gain control and compliance.

2. Verbal Communication – Officers may be able to gain voluntary compliance by using their voice. Verbal commands given clearly and concisely, such as *Stop*, or *You are* under arrest, or Police! Don't Move! Can be used to gain control in many instances.

3. Physical Control – Placing a hand on the person, using unarmed compliance techniques, come along holds and self-defense methods are all a part of this alternative in the *force continuum*. The hands, fist, feet, knees, elbows or other parts of the body may be used to control an adversary, in accordance with training.

4. Oleoresin Capsicum Spray (OC) –The Department utilizes OC spray as part of the use of force continuum. The OC spray is a less lethal weapon which will be used in accordance with departmental training. Only those officers trained in OC spray will be authorized to carry it.

5. Conductive Energy Device (CED) - This Department utilizes a CED as part of its *force continuum*. The CED is a less-lethal weapon and will be used in accordance with departmental policy and court decisions. The CED may only be used by officers trained in its use.

6. Impact Weapon – The ASP baton, a less lethal impact weapon, is issued by the Department and is to be used in accordance with training. The ASP may only be used by officers trained in its use.

7. Deadly Force – The last alternative of the *force continuum* is deadly force.

   a. Deadly force may only be applied when an officer reasonably believes that he/she is in imminent danger of death or serious injury, or when the officer reasonably believes that another person is in imminent danger of death or serious injury.

b. Deadly force may also be used to stop a fleeing felon. The officer must reasonably believe that the fleeing felon committed a serious felony which caused death or serious injury and that the felon continues to pose an active threat of serious physical harm or death to the officer or other members of the community. The officer must give the felon a verbal warning to stop, if feasible, before using deadly force.

C. Use of Verbal Force

1. Officers must maintain a professional and composed demeanor while generating cooperation from the public. By treating the public in a courteous and civil manner, officers may be capable of controlling people and situations with the use of their verbal skills.

2. Verbal force reasonably applied in the form of persuasion, advice, warnings or commands will often enable the officer to control the situation or person without having the resort to physical force.

D. Use of Physical Force

1. Physical force, actual body contact with a person and forcibly subduing the individual until the resistance is overcome, excludes the use of weapons or objects that could be used as weapons. Examples of physical force are holding, pulling, pushing, throwing, or exerting a greater strength.

2. Physical force will only be utilized to lawfully and properly neutralize an assault and battery, or overcome resistance by a person being taken into custody.

E. Use of intermediate force

1. Intermediate force involves the use of less lethal weapons (OC spray, CED and the ASP baton) against a person and forcibly subduing that person with the assistance of those weapons until resistance is overcome.

2. Use of any less lethal object that an officer uses to assist in subduing an individual will be considered intermediate force.

3. The OC spray, CED and ASP baton shall be used in accordance with current established departmental training standards and court decision. They should not be used against a restrained person except in the most extreme circumstances, or as a threatening device to intimidate a person.

4. The use of intermediate force will be restricted to quelling physical confrontations where lesser verbal or physical force would be or have been ineffective or inappropriate.

5.1.3 USE OF DEADLY FORCE

A. Deadly force may only be used after all other reasonable means have been exhausted, or would clearly be ineffective, and when the officer reasonably believes that his or her action is in defense of human life, including their own, or in defense of any person in imminent danger of serious physical injury. For clarification, the following definitions apply for this order and General Order 5.1.4, *Restrictions on the Use of Firearms.*

1. Deadly Force – action that is likely to cause death;

2. Reasonable Belief – what a reasonable person in the same situation would believe, based on the knowledge of the facts surrounding the event as they existed at that time;

3. Serious Physical Injury – injury that may cause death, impairment or disfigurement.

B. Deadly force shall not be used to apprehend a fleeing misdemeanant or felon who does not meet the above criteria.

C. In cases where an officer is justified in using deadly force, the officer shall not use deadly force recklessly or in places or circumstances where an injury or death to innocent persons is a reasonable likelihood.

D. An officer shall not shoot at or from moving vehicles, except under the most exigent circumstances to protect the officer or the public from serious bodily injury or death. The safety of innocent persons is of paramount importance.

5.1.4 FORCE DE-ESCALATION

A. De-escalation may take the form of scene management, team tactics and/or individual engagement. Even when the individual engagement is not feasible, de-escalation techniques including scene management and team tactics such as time, distance and shielding should still be used unless doing so would create undue risk of harm to any person due to the exigency/threat of situations.

B. De-escalation tactics and techniques are actions used by officers, when safe and feasible without compromising law enforcement priorities, that seek to minimize the likelihood of the need to use force during an incident and increase the likelihood of voluntary compliance.

C. When safe and feasible under the totality of the circumstances, officers shall attempt to slow down or stabilize the situation so that more time, options and resources are available for incident resolution,

D. The overall goal of this general order is to promote thoughtful resolutions to situations and to reduce the likelihood of harm to all person's involved. De-escalation is reviewed and evaluated under the totality of the circumstances present at the time of the incident.

E. When Safe, Feasible and Without Compromising Law Enforcement Priorities, Officers Shall Use De-Escalation Tactics in Order to Reduce the Need for Force:

1. Officers will conduct a threat assessment so as not to precipitate an unnecessary, unreasonable or disproportionate use of force by placing themselves or other in undue jeopardy.

2. Team approaches to de-escalation are encouraged and should consider officer training and skill level, number of officers and whether any officer has successfully established rapport with the subject. Where officers use a team-approach to de-escalation, each individual officer's obligation to de-escalate will be satisfied as long as the officer's actions complement the overall approach.

3. Selection of De-Escalation options should be guided by the totality of the circumstances with the goal of attaining voluntary compliance.

a. Communication

(1) Using communication intended to gain voluntary compliance, such as:

(a) Verbal Persuasion

i. Advisements and warnings given in a calm and explanatory manner.

ii. Warnings given as a threat of force are not considered part of de-escalation.

(b) Clear Instructions

i. Using verbal techniques, such as Listen and Explain with Equity and Dignity (LEED) to calm an agitated subject and promote rational decision making.

ii. Avoiding language, such as taunting or insults that could escalate the incident.

(c) Considering whether any lack of compliance is a deliberate attempt to resist rather than an inability to comply based on factors including, but not limited to:

i. Medical Conditions;

ii. Mental Impairment;

iii. Developmental Disability;

iv. Physical Limitations;

v. Language Barrier;

vi. Drug Interaction;

vii. Behavioral Crisis;

viii. Fear or Anxiety.

b. Time

(1) Attempt to slow down or stabilize the situation so that more time, options and resources are available for incident resolution.

(a) Scene stabilization assists in transitioning incidents from dynamic to static by limiting access to unsecured areas, limiting mobility and preventing the introduction of non-involved community members.

(b) Avoiding or minimizing physical confrontation, unless necessary to protect someone or stop dangerous behavior.

(c) Calling extra resources or officers to assist, such as a crisis intervention officer.

c. Distance

(1) Maximizing tactical advantage by increasing distance to allow for greater reaction time.

d. Shielding

Utilizing Cover and Concealment for a Tactical Advantage, such as:

(1) Placing Barriers between an Uncooperative Subject and Officers;

(2) Using Natural Barriers in the Immediate Environment.

5.1.5 RESTRICTIONS ON THE USE OF FIREARMS

A. Warning shots are strictly prohibited.

B. Officers shall carry firearms secured in an approved holster and may draw their firearms in the following circumstances:

1. When there is reasonable belief that it may be necessary to lawfully use the firearm in conformance with General Order 5.1.3, *Use of Deadly Force.*

2. When authorized to do so during official departmental business such as training and inspections.

3. When the killing of an agricultural animal is justified for self-defense, to prevent substantial harm to others, or when the agricultural animal is too sick or injured to recover and must be destroyed. If available, an animal control officer should be notified to determine if the agricultural animal can be saved or should be destroyed in a safer manner. If Animal Control is not available, the officer assigned to the case will determine if the agricultural animal can be saved or should be destroyed in a safe manner. If the officer must destroy an agricultural animal, it shall be at the direction of a supervisor. See General Order 5.1.7, *Reporting Use of Force/Discharge of a Firearm,* for reporting requirements.

   a. It is strictly forbidden for any police or animal control officer to shoot a companion animal as a form of euthanasia if the companion animal is sick or injured, unless the companion animal is an imminent threat to safety of the officers or other citizens.

4. Officers who display their firearms at an individual in the course of their duties in order to have the suspect comply with their lawful orders will submit a Blue Team Report.

C. Officers shall not use or carry any firearm, on or off duty, while under the influence of alcohol or drugs.

D. Officers will secure and store weapons, either on or off duty, in such a way as to ensure no unauthorized person will have access to or gain control of the weapons.

E. Officers will not surrender their weapons to any person that is not a law enforcement officer.

5.1.6 LESS-LETHAL WEAPONS

A. Oleoresin Capsicum Spray (OC) – OC spray is part of the Department's use of force continuum and only those officers trained in its use are authorized to carry the OC Spray. Every incident where an officer utilizes OC spray, it should be documented in a Blue Team Use of Force report. Officers may only carry OC spray that is issued by the Department.

1. Carrying Aerosol OC Spray Dispensers-

    a. The Department issued aerosol OC spray dispenser for uniform personnel shall be carried by all members while on patrol.

    b. Detectives will have OC spray available to them when they are making arrests in the field.

2. Use of Aerosol OC Spray Dispensers-

    a. Officers should remember that the effectiveness of OC Spray varies from individual to individual.

    b. Officers shall issue a warning that OC Spray is going to be used against the subject unless resistance is ceased.

    c. A warning will not be provided if it would endanger the safety of officers or other citizens.

    d. Officers need to ensure that prior to discharging the OC Spray that they allow a reasonable amount of time to allow for compliance with the warning.

    e. The officer will utilize two (2) one second bursts.

    f. Effective range is approximately 12 feet, and should not use OC Spray at a distance less than 3 feet from the suspect.

    g. Officers should aim for the suspects face. OC Spray is most effective when it comes in contact with the skin of the face and eyes.

h. Upon facial contact, the spray will cause an intense burning sensation to the suspect's face and eyes, resulting in profuse tearing and temporary loss of vision.

i. Officers should use extreme caution when approaching or handling a suspect who has been sprayed and is obviously not affected by its use.

3. Once OC Spray has been deployed

a. The suspect shall be provided the opportunity to wash the affected areas within 20 minutes after the application of the spray.

b. Officers shall not use any types of creams, ointments or bandages on the affected area.

c. Officers shall not keep a suspect in the face down position any longer than necessary to end the threat of harm, escape or handcuffing the suspect, in order to avoid positional asphyxia.

d. Officers shall transport suspects on whom OC Spray has been used to the hospital for medical treatment, under the below circumstances.

(1) Suspects who complain of or exhibit continued effects after having flushed the affected areas;

(2) Suspects who indicate that they have a pre-existing medical condition (asthma, emphysema, bronchitis, heart ailment, etc.) that may have been aggravated by the OC Spray;

(3) If at any point after exposure to OC Spray the suspect displays a reaction not consistent with the expected reaction to aerosol OC Spray, medical attention is to be summoned immediately.

4. Maintaining Aerosol OC Spray Dispensers

a. Officers shall periodically check the fluid level of their aerosol OC Spray dispensers. This can be accomplished by shaking the dispenser.

b. If a member suspects that their OC Spray dispenser is not working correctly, they shall ask their supervisor to test the dispenser.

c. Supervisors are authorized to test the dispenser by firing one short one second burst in a safe area outside of the Police Department.

d. Defective or expended OC Spray dispensers shall be submitted to the Major for replacement.

B. Conductive Energy Device (CED) - CEDs are part of the Department's *force continuum* and only those officers trained in its use are authorized to carry a CED. Every instance of CED use, including accidental discharge, should be accounted for in a Blue Team Use of Force report. Officers can be armed with CEDs provided they have received all mandated training and maintain all qualification requirements. CEDs will be issued by the Department.

1. Training – The Department training program includes but is not limited to the training curriculum provided by the CED manufacturer and is included in and does not contradict Blue Team Use of Force polices and values. CED recertification will occur annually and consist of physical competency and device retention, changes in Department policy, technology changes, and reviews of local and national trends in CED use. Exposure to CED activation during training is voluntary. All officers agreeing to be subjected to CED activation will be apprised of risks associated with such exposure. Supervisors and command staff will receive CED awareness training so they able to make educated decisions about any administrative investigations they review. The following items will be covered in all CED training:

   a. Emphasis will be placed on awareness that multiple activations and continuous cycling of a CED appear to increase the risk of death or serious injury and should be avoided where practical.

   b. Recognizing the limitations of CED activation and being prepared to transition to other force options as the situation may demand. Weather effects of CEDs will be reviewed. CED cartridges have experienced firing problems in extremely cold weather. CED cartridges with longer barbs may be more effective in extremely cold climates due to heavy winter clothing.

   c. Familiarizing officers with the protocol established between this Department and local medical personnel for evaluation of individuals who have been exposed to CED activation.

   d. Removal of CED darts that have penetrated the skin is included in this Department's training curriculum. Only medical personnel will remove darts that have penetrated a subject's sensitive areas.

   e. CED's optimum range is 7 - 15-feet.

   f. CED effects against people under the influence of drugs and/or symptoms associated with delirium (sudden death), and high-risk groups (pregnant women/elderly persons/young children and/or visibly frail persons) will be emphasized in training.

g. CED use against aggressive/dangerous animals and the appropriate mode.

h. Proper maintenance, storage, transportation and use of CED both on and off-duty.

i. Officer responsibilities post-activation of a CED.

j. CED terminology and ability to articulate the difference between the actual duration of a CED activation on a person and the total time of discharge registered on a CED device.

2. Use of CEDs – The Fourth Circuit Court of Appeals has ruled in the case of Armstrong v. The Village of Pinehurst that the use of a CED by law enforcement officer may only be used when an officer is faced with an immediate safety threat. Erratic behavior and mental illness do not necessarily create a safety risk

   a. CEDs should only be used against persons who are actively resisting or exhibiting active aggression, or to prevent individuals from harming themselves or others.

   b. CEDs shall not be used against a passive suspect

   c. CEDs should not be used against pregnant women, elderly persons, young children, and/or visibly frail persons unless exigent circumstances exist.

   d. CEDs should not be used on a handcuffed persons unless they are actively resisting or exhibiting active aggression, and/or to prevent individuals from harming themselves or others.

   e. As with humans, CED use against aggressive/dangerous animals should be based upon the situation and level of danger toward the officer and/or others in the area.

   f. Severity of offense, suspect's demeanor, and other circumstances should be considered before an officer uses a CED. That a suspect is fleeing should not be the sole justification for use of a CED.

   g. A warning should be given to a person prior to activating the CED unless doing so would place any other person at risk.

   h. When applicable, an announcement should be made to other officers on the scene that a CED is going to be activated.

i. CEDs should not be used against suspects in physical control of a vehicle in motion, including automobiles, trucks, motorcycle, ATVs, bicycles and scooters unless exigent circumstances exist.

j. CEDs should not generally be used when a subject is in a location where a fall may cause substantial injury or death.

k. No more than one (1) officer should activate a CED against a suspect or other individual at one time.

l. Only Department-issued CEDs will be carried by officers.

m. CEDs should be carried in a holster on an officer's weak (support) side to avoid the accidental drawing and/or firing of an officer's sidearm.

n. When possible, emergency medical personnel should be notified when officers respond to calls for service where use of a CED is anticipated.

(1) All persons who have been exposed to CED activation should receive a medical evaluation based on established protocols.

o. Upon activation, the officer should use the CED for one standard cycle (5 [5] seconds) and stop to evaluate the situation. If subsequent cycles are necessary, they should be administered for the standard 5-second cycle. Only in *extreme circumstances* should more than three (3) cycles be administered.

p. Officers should avoid firing darts at a subject's head, neck, and genitalia.

q. CED darts should be treated as a biohazard. Officers should generally, remove CED darts that have penetrated a person's skin in compliance with training.

r. Only medical personnel should remove darts that have penetrated a person's sensitive areas.

s. Medical staff should be called to examine any individual that receives more than three (3) 5-second cycles of energy.

t. All persons who have been subjected to a CED activation should be monitored regularly while in police custody even if they have received medical attention/care.

u. If a subject is armed with a CED and threatens to or attacks an officer, the officer may defend him/herself to avoid becoming incapacitated and risking the possibility that the CED-armed subject could gain control of the officer's firearm. When possible, an officer should attempt to move outside the CED's range (approximately 21-feet) and seek cover, as well as request back-up officers to mitigate the danger.

v. CEDs should not be used in the known presence of combustible vapors, liquids, or other flammable substances, including but not limited to alcohol-based Oleoresin Capsicum (O.C.) Spray carriers.

3. Reporting Requirements for Use of CED – Refer to section 5.1.7, *REPORTING USE OF FORCE/DISCHARGE OF A FIREARM.*

4. Community Awareness – CED awareness should extend to law enforcement partners (local medical personnel, citizen review boards, medical examiners, mental health professionals, judges, and local prosecutors, for example). The Department may conduct neighborhood programs that focus on CED awareness training and if a citizen's training academy is implemented, CED training would be part of this program. The Department's CED Instructors should receive extensive training on CEDs in order to better inform the media and public about these devices. Department policy should be explained to members of the media should the situation warrant.

C. ASP Expandable Baton ("baton") - When an officer is confronted by an aggressive subject actively resisting arrest, attacking, threatening to attack, the officer may utilize their baton to that level of force necessary to overcome resistance to a lawful arrest, or to prevent an attack or injury. The following operational procedures shall be adhered to when utilizing the baton:

1. The baton may be used to strike the subject in the target areas of the body. The target areas are the torso, arms and legs. Intentional strikes to the head, kidney or groin must be avoided, if possible.

2. The baton may be used as a lever to induce pressure to cause the subject to cease aggressive behavior. Utilization of the baton to induce a chokehold should be avoided, except to protect the safety of the officer, other officers or the public.

3. The baton may be used to block strikes initiated by a subject directed at the officer or other person.

5.1.7 MEDICAL AID

A. Any employee whose law enforcement action or the utilization of any use of force that results in an injury against a citizen will ensure that the appropriate medical aid is rendered.

1. Appropriate medical aid should be rendered as soon as reasonably possible and may consist of any of the following:

a. Increased observation of the citizen to detect obvious changes in the citizen's condition;

b. Flushing chemical agents from the citizen's eyes;

c. Application of First Aid;

2. Activation of Emergency Medical Systems

a. In the case of a more severe injury, medical distress is apparent or the individual is unconscious the primary officer, back-up officers or on-duty supervisor will:

(1) Immediately as safely possible have the Communications Center dispatch out emergency medical system by toning out the Greensville County Volunteer Rescue Squad for evaluation and treatment

(2) If the Greensville County Rescue Squad is not available then a call to LifeStar ambulance service will be made to handle the medical emergency.

(3) If necessary, the citizen may need to be treated for their injuries at a Healthcare Facility and transportation may be achieved by the rescue squad or by a police vehicle.

(4) If a police transport is required, then it will be performed by an officer that was not directly involved in the police action of use of force incident.

5.1.8 REPORTING USE OF FORCE/DISCHARGE/DISPLAY OF A FIREARM

A. Any employee shall report any discharge or display of a firearm (excluding discharge during departmental training) or any use of force.

1. The employee will report the incident orally to the shift supervisor as soon as possible.

2. An officer shall submit a Blue Team Use of Force Report to his/her immediate supervisor and they copy the Operations Division Commander, Support Division Commander, Major and Chief of Police prior to the end of his/her shift during which the firearm was discharged or any use of force was deployed. Each Blue Team Use of Force Report undergoes an administrative review through the chain of command.

B. Employees shall immediately notify their supervisor after any type of physical, intermediate or deadly force has been utilized.

C. Whenever an officer utilizes physical, less-lethal and lethal force, as defined in General Order 5.1.1, *Use of Force-General Policy,* it shall be documented in the officer's Blue Team Use of Force Report. The report shall be submitted prior to the end of the officer's shift. Anything other than normal handcuffing techniques will be considered a requirement for the Blue Team Use of Force report.

D. Whenever an officer utilizes any type of force, and there is a report of injury associated with the force utilized, a Blue Team Use of Force Report shall be submitted to the Chief of Police through the chain of command by the officer involved. The Blue Team Use of Force Report shall describe the reported injury and detail the circumstances surrounding the use of force. The Internal Affairs Unit will be the official responsible for conducting the investigation and shall follow the procedures defined in Chapter 29, *Internal Affairs*.

E. Whenever the use of physical, less-lethal or lethal force results in life threatening or serious physical injury, the supervisor shall notify the appropriate Division Commander, Major and Chief of Police.

F. Police Action Death Investigations

1. When any employee of the Emporia Police Department whose actions or use of force results in a serious bodily injury or death the Chief of Police or his designee shall contact the Virginia State Police Bureau of Criminal Investigations Chesapeake Field Office and request the Virginia State Police take over and conduct the criminal investigation.

2. Once the Virginia State Police agree to handle the criminal investigation, the Emporia Police Department will assist the Virginia State Police and Commonwealth Attorney to provide any form of documentation, to include: body cam and in-car camera footage, incident reports, field reports.

3. The Chief of Police will assign an Internal Affairs investigator to handle the administrative investigation, in accordance with Chapter 29 Internal Affairs. The internal affairs investigation will not commence until the

criminal investigation has been completed and the Chief of Police will have a conversation with the Commonwealth Attorney to determine if the administrative investigation would interfere with the criminal prosecution if charges are filed.

4. The Commonwealth Attorney will make a decision whether they will handle this investigation and prosecution or if they will have a special prosecutor assigned to handle the investigation and prosecution.

    a. The Commonwealth Attorney will give legal advice to the Virginia State Police.

    b. The Commonwealth Attorney will review the case investigation and make a determination whether criminal charges will be filed against the officer(s).

5. The Chief of Police will make an initial press release about the incident which will state that the Virginia State Police is now handling the criminal investigation and that all future inquiries will be referred to the Virginia State Police Public Information Officer.

6. The Emporia Police Department will provide process and awareness training for all employees regarding police action death investigations

5.1.9 ADMINISTRATIVE REVIEW OF THE USE OF FORCE

A. The squad supervisor who oversees the involved officer will conduct an administrative review of the use of force incident to determine if the force utilized was used in within departmental policy. Such findings will be submitted through Blue Team to the Chief of Police through the chain of command.

B. During any stage of the administrative review the Supervisor, Division Commander, Major or the Chief of Police may refer any incident involving Use of Force to the Internal Affairs Unit for further investigation.

5.1.10 POST-INCIDENT PROCEDURES

A. Removal from Line of Duty Assignment

1. The following procedures apply to situations in which an employee's action(s) results in deadly force, discharges a firearm for the purpose of employing deadly force against a human being, involved in a motor vehicle collision that results in a serious injury or death, or any critical or traumatic incident.

    a. The shift supervisor shall notify the Major and Chief of Police.

b. The employee will be relieved from duty and placed on administrative leave, suspension, or assigned duties that would not place the employee in direct contact with the public. The purpose of this is twofold:

(1) To protect the community's interest when employees may have exceeded the scope of their authority in their actions or in their use of force.

(2) To shield employees who have not exceeded the scope of their authority and avoid possible confrontations with the community.

B. The EPD recognizes that any use of force, or traumatic incident resulting in serious injury or death by a police officer, as well as any force or threat made to an officer while carrying out their duties, can have a significant impact on the officer's emotional well-being. In order to minimize this impact and protect the emotional health of its officers, the following shall occur:

1. Following a use of force incident, either by or against a police officer, the need for intervention/counseling should be considered by the officer(s) involved and their supervisors. If any question arises about the appropriateness or necessity for a debriefing under these circumstances, the officer(s) or supervisors will contact the Department counselor, to review the situation, the immediate reactions, and to decide on the need for a debriefing.

2. All officers directly involved in a combat shooting, or involved in any incident where there was a significant threat to the lives of the officers, will be required to attend a debriefing at a counselor assigned by the Department after providing initial reports of the incident to the investigating supervisor.

5.1.11 AUTHORIZED WEAPONS AND AMMUNITION

A. Only weapons and ammunition authorized by the Department will be carried by officers while either on or off duty. At this time, the Department authorized sidearm to be carried by officers (full-time and animal control) while on duty is the Glock .40 caliber. The Chief of Police and the Major will carry a Glock 9 mm.

B. Only Department authorized ammunition will be used and/or carried. Presently, the only authorized ammunition to be issued and/or carried in the department issued handgun is .40 caliber, 180 grain, hollow point ammunition, or 9 mm caliber, 147 grain, hollow point ammunition. No other ammunition shall be carried on-duty or loaded in the department-issued handgun.

C. No secondary firearm will be carried while on-duty.

D. While in an off-duty status within the City, officers, if armed, may carry their issued firearm. If an officer wishes to carry an off-duty firearm, they must demonstrate proficiency and qualify with the off duty weapon. Once the officer qualifies with their off- duty weapon, the range instructor will document the officers' type of weapon, caliber, serial number and the score that the officer received on the range. Off duty weapons will be no smaller than .380 caliber and no larger than .45 caliber. Off duty weapons must be loaded with ammunition approved by the range instructor.

1. It is preferred that the firearm be carried concealed from common observation in a holster. Officers who are off-duty and carrying a firearm shall carry their badge and credentials.

E. The Emporia Police Department utilizes one special weapon besides the issued handgun. Officers of the Department are issued a patrol rifle.

1. The department utilizes the patrol rifle. The patrol rifles will utilize .223 caliber semi-automatic rifle ammunition 55 grain full metal jacket or 60 or 62 grain tap round.

2. Patrol rifles shall be stored in the trunk of the officer's assigned vehicle in its assigned protective case with a magazine readily available or in a rifle mount within officer's assigned patrol vehicle

F. The Major will issue all weapons to the appropriate use of force instructor.

1 . Once a weapon is issued the appropriate use of force instructor, they will inspect the weapon prior to placing it into service.

2. The appropriate use of force instructor will then issue the weapon to the officer who will qualify and demonstrate proficiency at the range with the weapon.

3. The Major will maintain a record of all issued weapons, listing the make, model, serial number, and the identity of the assignee.

4. Lethal and less lethal weapons records will also list the date of training and approval of the scores used to qualify the user on the demonstration of proficiency and qualification.

5. The Department's training officer will maintain these records.

G. Officers weapons will be inspected by the appropriate use of force instructor during spring and fall use of force training and weapons qualifications.

H. Supervisors will inspect all weapons issued to their officers during line inspection conducted at roll calls.

I. All weapons found to be unsafe shall be immediately removed from service.

J. All non-issued weapons are maintained and secured in the secure area in the Major's office.

K. Officers receive a gunlock when they are issued a handgun. It is strongly suggested that officers utilize this lock when they store their sidearm off-duty.

5.1.12 WEAPONS QUALIFICATIONS

A. On an annual basis, officers must qualify with their Department handgun on a day and night course, along with the patrol rifle with a minimum score of 70%, and demonstrate proficiency with less-lethal weapons.

B. The prescribed training course tests knowledge of applicable laws, safe handling of weapon(s) and firing weapon(s). The training officer shall ensure that the firearms courses meet the requirements set forth by the Virginia Department of Criminal Justice Services (DCJS). Proficiency in the use of weapons will include the demonstrated understanding of departmental policy outlined in General Orders 5.1.1, 5.1.2, and 5.1.3. For recruits, this will be accomplished by the field-training officer at the beginning of field training.

5.1.13 ANNUAL DEMONSTRATION OF PROFICIENCY

A. Firearm qualifications including the patrol rifle will be held on an annual basis. A required annual demonstration of proficiency will be conducted for all less-lethal weapons for all officers. DCJS-certified instructors will monitor all weapons training.

B. All Department weapons training will be documented and training records will be stored by the training officer. This includes on and off duty firearms, patrol rifle, qualifications and less lethal weapons.

C. An essential function for the role of a police officer is the ability to qualify with the issued sidearm, patrol rifle and demonstrate proficiency in the use of less-lethal weapons. At least annually, the Department conducts recertification exercises to establish and measure proficiency with the weapons. It is at these periodic recertification events that officer must demonstrate his/her ability to meet the minimum standards that have been established by the DCJS.

D. Officers not meeting the above criteria are subject to the following remedial training

1. Any officer failing to achieve a qualifying score with their issued sidearm, as well as the department patrol rifle will be given two additional attempts to qualify.

2. If the officer fails to qualify after three attempts, the officer will be placed on administrative duties with pay and will coordinate with the lead range instructor to receive remedial training and return to the range.

3. The remedial training will be conducted as soon as possible and will consist of at least sixteen (16) hours of training and three additional attempts to qualify.

4. The remedial training and additional qualification attempts must be completed within thirty (30) days of the initial failure to qualify.

5. If the officer does not qualify after remedial training he/she will then surrender his/her weapon(s) and will meet with the Chief of Police, the Major, and the range instructor.

6. Officers failing to demonstrate proficiency in the use of less-lethal weapons during annual recertification exercises will be scheduled for remedial training.

7. Failure to achieve a qualifying score with the Department-issued handgun and Patrol rifle, as well as demonstrating proficiency with less-lethal weapons after the appropriate remedial training may result in the dismissal of the officer.

E. The Department strictly prohibits the utilization of neck restraints, chokeholds, hog-tying or other similar weaponless control techniques.

5.1.14 POLICY TRAINING

A. All officers will receive and sign for the EPD *General Orders Manual* at the beginning of field training. Officers will be instructed in the policies described in General Orders 5.1.1 through 5.1.5 before being authorized to carry a weapon.

B. As part of the annual use of force training, officers will receive classroom training on the agency's use of force policies and procedures.

5.1.15 ANNUAL ANALYSIS OF USE OF FORCE REPORTS

A. The Chief of Police will conduct an annual analysis of use of force incidents, policies and practices as required in 5.1.7 (*Use of Force Incidents*). This analysis will determine if any trends or patterns have developed over the past year. The analysis should identify:

1. Date and time of incidents;

2. Types of encounters in use of force incidents;

3. Trends or patterns related to the individual force was utilized;

a. race,

b. age,

c. gender.

4. Trends or patterns resulting in injury to:

a. suspect,

b. employee,

c. third party citizen.

5. Impact of findings on policies, practices, equipment and training

5.1.16 ANNUAL REVIEW OF ASSAULT ON POLICE OFFICERS

A. On an annual basis the Chief of Police will conduct a review of all assaults on Police Officers. The review will consist of:

1. Trends or Patterns:

a. Time of day;

b. Type of initial call for service;

c. Presence of multiple officers on scene;

d. Prior history of the suspect.

2. Recommendations:

a. Enhance officer safety;

b. Determine if policies and procedures should be revised;

c. Determine if training should be modified, revised or eliminated;

d. Prepare the agency for public information and media requests.

5.1 USE OF FORCE

5.1.1 USE OF FORCE GENERAL POLICY

A. General Policy

1. This policy is for departmental use and does not create or affect an officer's alleged criminal or alleged civil liability in any court proceeding. This policy should not be considered as an establishment of a higher standard of safety or care in regulating employee actions as they may pertain in cases of third party claims. Violations of this policy will only form the basis of administrative actions taken by the Department against an employee. Violations of law will form the basis of any criminal or civil proceedings, and these cases would be conducted within the appropriate court system.

2. When confronted with a situation where force is necessary to affect an arrest or accomplish a lawful objective, EPD personnel will only use reasonable force necessary to affect an arrest or accomplish a lawful objective. The use of force by members of this Department will be governed by the concept of this Department's *force continuum* that permits an officer to respond in a safe, appropriate manner by using the appropriate amount of force to overcome resistance or imminent danger without employing excessive amounts of force.

3. Officers responding to any incident that may require the use of force WILL NOT:

   a. Sit, kneel or stand on an individual's back or chest;

   b. Stand or kneel on a subject's head, face or neck area;

   c. Offensively kick and/or stomp on a subject.

      (1) Kicks are authorized for defensive purposes only.

   d. Use of neck restraints and chokeholds are strictly prohibited and will not be utilized by a member of the Emporia Police Department.

   e. Transport an individual in a face down position, especially when handcuffed. This will serve to prevent positional asphyxia that occurs when the position of an individual's body interferes with their ability to breathe. If an individual is having trouble breathing or is demonstrating life-threatening symptoms, medical assistance will be summoned immediately.

5.1.2 FORCE CONTINUUM

A. Force Continuum – Officers must be familiar with all components in the force continuum and be prepared to respond at the level required by the threat at that moment in time.

B. Training – All officers will undergo all training required (basic, annual or other training as necessary and/or assigned by supervisory staff). The Chief of Police will monitor Blue Team Use of Force incidents and make recommendations for remedial training when appropriate. The *force continuum* for the EPD is as follows:

1. Mere Presence – The mere presence of an officer displaying a professional demeanor may suffice to gain control and compliance.

2. Verbal Communication – Officers may be able to gain voluntary compliance by using their voice. Verbal commands given clearly and concisely, such as *Stop*, or *You are* under arrest, or Police! Don't Move! Can be used to gain control in many instances.

3. Physical Control – Placing a hand on the person, using unarmed compliance techniques, come along holds and self-defense methods are all a part of this alternative in the *force continuum*. The hands, fist, feet, knees, elbows or other parts of the body may be used to control an adversary, in accordance with training.

4. Oleoresin Capsicum Spray (OC) –The Department utilizes OC spray as part of the use of force continuum. The OC spray is a less lethal weapon which will be used in accordance with departmental training. Only those officers trained in OC spray will be authorized to carry it.

5. Conductive Energy Device (CED) - This Department utilizes a CED as part of its *force continuum*. The CED is a less-lethal weapon and will be used in accordance with departmental policy and court decisions. The CED may only be used by officers trained in its use.

6. Impact Weapon – The ASP baton, a less lethal impact weapon, is issued by the Department and is to be used in accordance with training. The ASP may only be used by officers trained in its use.

7. Deadly Force – The last alternative of the *force continuum* is deadly force.

   a. Deadly force may only be applied when an officer reasonably believes that he/she is in imminent danger of death or serious injury, or when the officer reasonably believes that another person is in imminent danger of death or serious injury.

b. Deadly force may also be used to stop a fleeing felon. The officer must reasonably believe that the fleeing felon committed a serious felony which caused death or serious injury and that the felon continues to pose an active threat of serious physical harm or death to the officer or other members of the community. The officer must give the felon a verbal warning to stop, if feasible, before using deadly force.

C. Use of Verbal Force

1. Officers must maintain a professional and composed demeanor while generating cooperation from the public. By treating the public in a courteous and civil manner, officers may be capable of controlling people and situations with the use of their verbal skills.

2. Verbal force reasonably applied in the form of persuasion, advice, warnings or commands will often enable the officer to control the situation or person without having the resort to physical force.

D. Use of Physical Force

1. Physical force, actual body contact with a person and forcibly subduing the individual until the resistance is overcome, excludes the use of weapons or objects that could be used as weapons. Examples of physical force are holding, pulling, pushing, throwing, or exerting a greater strength.

2. Physical force will only be utilized to lawfully and properly neutralize an assault and battery, or overcome resistance by a person being taken into custody.

E. Use of intermediate force

1. Intermediate force involves the use of less lethal weapons (OC spray, CED and the ASP baton) against a person and forcibly subduing that person with the assistance of those weapons until resistance is overcome.

2. Use of any less lethal object that an officer uses to assist in subduing an individual will be considered intermediate force.

3. The OC spray, CED and ASP baton shall be used in accordance with current established departmental training standards and court decision. They should not be used against a restrained person except in the most extreme circumstances, or as a threatening device to intimidate a person.

4. The use of intermediate force will be restricted to quelling physical confrontations where lesser verbal or physical force would be or have been ineffective or inappropriate.

5.1.3 USE OF DEADLY FORCE

A. Deadly force may only be used after all other reasonable means have been exhausted, or would clearly be ineffective, and when the officer reasonably believes that his or her action is in defense of human life, including their own, or in defense of any person in imminent danger of serious physical injury. For clarification, the following definitions apply for this order and General Order 5.1.4, *Restrictions on the Use of Firearms.*

1. Deadly Force – action that is likely to cause death;

2. Reasonable Belief – what a reasonable person in the same situation would believe, based on the knowledge of the facts surrounding the event as they existed at that time;

3. Serious Physical Injury – injury that may cause death, impairment or disfigurement.

B. Deadly force shall not be used to apprehend a fleeing misdemeanant or felon who does not meet the above criteria.

C. In cases where an officer is justified in using deadly force, the officer shall not use deadly force recklessly or in places or circumstances where an injury or death to innocent persons is a reasonable likelihood.

D. An officer shall not shoot at or from moving vehicles, except under the most exigent circumstances to protect the officer or the public from serious bodily injury or death. The safety of innocent persons is of paramount importance.

5.1.4 FORCE DE-ESCALATION

A. De-escalation may take the form of scene management, team tactics and/or individual engagement. Even when the individual engagement is not feasible, de-escalation techniques including scene management and team tactics such as time, distance and shielding should still be used unless doing so would create undue risk of harm to any person due to the exigency/threat of situations.

B. De-escalation tactics and techniques are actions used by officers, when safe and feasible without compromising law enforcement priorities, that seek to minimize the likelihood of the need to use force during an incident and increase the likelihood of voluntary compliance.

C. When safe and feasible under the totality of the circumstances, officers shall attempt to slow down or stabilize the situation so that more time, options and resources are available for incident resolution,

D. The overall goal of this general order is to promote thoughtful resolutions to situations and to reduce the likelihood of harm to all person's involved. De-escalation is reviewed and evaluated under the totality of the circumstances present at the time of the incident.

E. When Safe, Feasible and Without Compromising Law Enforcement Priorities, Officers Shall Use De-Escalation Tactics in Order to Reduce the Need for Force:

1. Officers will conduct a threat assessment so as not to precipitate an unnecessary, unreasonable or disproportionate use of force by placing themselves or other in undue jeopardy.

2. Team approaches to de-escalation are encouraged and should consider officer training and skill level, number of officers and whether any officer has successfully established rapport with the subject. Where officers use a team-approach to de-escalation, each individual officer's obligation to de-escalate will be satisfied as long as the officer's actions complement the overall approach.

3. Selection of De-Escalation options should be guided by the totality of the circumstances with the goal of attaining voluntary compliance.

a. Communication

(1) Using communication intended to gain voluntary compliance, such as:

(a) Verbal Persuasion

i. Advisements and warnings given in a calm and explanatory manner.

ii. Warnings given as a threat of force are not considered part of de-escalation.

(b) Clear Instructions

i. Using verbal techniques, such as Listen and Explain with Equity and Dignity (LEED) to calm an agitated subject and promote rational decision making.

ii. Avoiding language, such as taunting or insults that could escalate the incident.

(c) Considering whether any lack of compliance is a deliberate attempt to resist rather than an inability to comply based on factors including, but not limited to:

i. Medical Conditions;

ii. Mental Impairment;

iii. Developmental Disability;

iv. Physical Limitations;

v. Language Barrier;

vi. Drug Interaction;

vii. Behavioral Crisis;

viii. Fear or Anxiety.

b. Time

(1) Attempt to slow down or stabilize the situation so that more time, options and resources are available for incident resolution.

(a) Scene stabilization assists in transitioning incidents from dynamic to static by limiting access to unsecured areas, limiting mobility and preventing the introduction of non-involved community members.

(b) Avoiding or minimizing physical confrontation, unless necessary to protect someone or stop dangerous behavior.

(c) Calling extra resources or officers to assist, such as a crisis intervention officer.

c. Distance

(1) Maximizing tactical advantage by increasing distance to allow for greater reaction time.

d. Shielding

Utilizing Cover and Concealment for a Tactical Advantage, such as:

(1) Placing Barriers between an Uncooperative Subject and Officers;

(2) Using Natural Barriers in the Immediate Environment.

5.1.5 RESTRICTIONS ON THE USE OF FIREARMS

A. Warning shots are strictly prohibited.

B. Officers shall carry firearms secured in an approved holster and may draw their firearms in the following circumstances:

1. When there is reasonable belief that it may be necessary to lawfully use the firearm in conformance with General Order 5.1.3, *Use of Deadly Force.*

2. When authorized to do so during official departmental business such as training and inspections.

3. When the killing of an agricultural animal is justified for self-defense, to prevent substantial harm to others, or when the agricultural animal is too sick or injured to recover and must be destroyed. If available, an animal control officer should be notified to determine if the agricultural animal can be saved or should be destroyed in a safer manner. If Animal Control is not available, the officer assigned to the case will determine if the agricultural animal can be saved or should be destroyed in a safe manner. If the officer must destroy an agricultural animal, it shall be at the direction of a supervisor. See General Order 5.1.7, *Reporting Use of Force/Discharge of a Firearm,* for reporting requirements.

a. It is strictly forbidden for any police or animal control officer to shoot a companion animal as a form of euthanasia if the companion animal is sick or injured, unless the companion animal is an imminent threat to safety of the officers or other citizens.

4. Officers who display their firearms at an individual in the course of their duties in order to have the suspect comply with their lawful orders will submit a Blue Team Report.

C. Officers shall not use or carry any firearm, on or off duty, while under the influence of alcohol or drugs.

D. Officers will secure and store weapons, either on or off duty, in such a way as to ensure no unauthorized person will have access to or gain control of the weapons.

E. Officers will not surrender their weapons to any person that is not a law enforcement officer.

5.1.6 LESS-LETHAL WEAPONS

A. Oleoresin Capsicum Spray (OC) – OC spray is part of the Department's use of force continuum and only those officers trained in its use are authorized to carry the OC Spray. Every incident where an officer utilizes OC spray, it should be documented in a Blue Team Use of Force report. Officers may only carry OC spray that is issued by the Department.

1. Carrying Aerosol OC Spray Dispensers-

    a. The Department issued aerosol OC spray dispenser for uniform personnel shall be carried by all members while on patrol.

    b. Detectives will have OC spray available to them when they are making arrests in the field.

2. Use of Aerosol OC Spray Dispensers-

    a. Officers should remember that the effectiveness of OC Spray varies from individual to individual.

    b. Officers shall issue a warning that OC Spray is going to be used against the subject unless resistance is ceased.

    c. A warning will not be provided if it would endanger the safety of officers or other citizens.

    d. Officers need to ensure that prior to discharging the OC Spray that they allow a reasonable amount of time to allow for compliance with the warning.

    e. The officer will utilize two (2) one second bursts.

    f. Effective range is approximately 12 feet, and should not use OC Spray at a distance less than 3 feet from the suspect.

    g. Officers should aim for the suspects face. OC Spray is most effective when it comes in contact with the skin of the face and eyes.

h. Upon facial contact, the spray will cause an intense burning sensation to the suspect's face and eyes, resulting in profuse tearing and temporary loss of vision.

i. Officers should use extreme caution when approaching or handling a suspect who has been sprayed and is obviously not affected by its use.

3. Once OC Spray has been deployed

a. The suspect shall be provided the opportunity to wash the affected areas within 20 minutes after the application of the spray.

b. Officers shall not use any types of creams, ointments or bandages on the affected area.

c. Officers shall not keep a suspect in the face down position any longer than necessary to end the threat of harm, escape or handcuffing the suspect, in order to avoid positional asphyxia.

d. Officers shall transport suspects on whom OC Spray has been used to the hospital for medical treatment, under the below circumstances.

(1) Suspects who complain of or exhibit continued effects after having flushed the affected areas;

(2) Suspects who indicate that they have a pre-existing medical condition (asthma, emphysema, bronchitis, heart ailment, etc.) that may have been aggravated by the OC Spray;

(3) If at any point after exposure to OC Spray the suspect displays a reaction not consistent with the expected reaction to aerosol OC Spray, medical attention is to be summoned immediately.

4. Maintaining Aerosol OC Spray Dispensers

a. Officers shall periodically check the fluid level of their aerosol OC Spray dispensers. This can be accomplished by shaking the dispenser.

b. If a member suspects that their OC Spray dispenser is not working correctly, they shall ask their supervisor to test the dispenser.

c. Supervisors are authorized to test the dispenser by firing one short one second burst in a safe area outside of the Police Department.

d. Defective or expended OC Spray dispensers shall be submitted to the Major for replacement.

B. Conductive Energy Device (CED) - CEDs are part of the Department's *force continuum* and only those officers trained in its use are authorized to carry a CED. Every instance of CED use, including accidental discharge, should be accounted for in a Blue Team Use of Force report. Officers can be armed with CEDs provided they have received all mandated training and maintain all qualification requirements. CEDs will be issued by the Department.

1. Training – The Department training program includes but is not limited to the training curriculum provided by the CED manufacturer and is included in and does not contradict Blue Team Use of Force polices and values. CED recertification will occur annually and consist of physical competency and device retention, changes in Department policy, technology changes, and reviews of local and national trends in CED use. Exposure to CED activation during training is voluntary. All officers agreeing to be subjected to CED activation will be apprised of risks associated with such exposure. Supervisors and command staff will receive CED awareness training so they able to make educated decisions about any administrative investigations they review. The following items will be covered in all CED training:

   a. Emphasis will be placed on awareness that multiple activations and continuous cycling of a CED appear to increase the risk of death or serious injury and should be avoided where practical.

   b. Recognizing the limitations of CED activation and being prepared to transition to other force options as the situation may demand. Weather effects of CEDs will be reviewed. CED cartridges have experienced firing problems in extremely cold weather. CED cartridges with longer barbs may be more effective in extremely cold climates due to heavy winter clothing.

   c. Familiarizing officers with the protocol established between this Department and local medical personnel for evaluation of individuals who have been exposed to CED activation.

   d. Removal of CED darts that have penetrated the skin is included in this Department's training curriculum. Only medical personnel will remove darts that have penetrated a subject's sensitive areas.

   e. CED's optimum range is 7 - 15-feet.

   f. CED effects against people under the influence of drugs and/or symptoms associated with delirium (sudden death), and high-risk groups (pregnant women/elderly persons/young children and/or visibly frail persons) will be emphasized in training.

g. CED use against aggressive/dangerous animals and the appropriate mode.

h. Proper maintenance, storage, transportation and use of CED both on and off-duty.

i. Officer responsibilities post-activation of a CED.

j. CED terminology and ability to articulate the difference between the actual duration of a CED activation on a person and the total time of discharge registered on a CED device.

2. Use of CEDs – The Fourth Circuit Court of Appeals has ruled in the case of Armstrong v. The Village of Pinehurst that the use of a CED by law enforcement officer may only be used when an officer is faced with an immediate safety threat. Erratic behavior and mental illness do not necessarily create a safety risk

   a. CEDs should only be used against persons who are actively resisting or exhibiting active aggression, or to prevent individuals from harming themselves or others.

   b. CEDs shall not be used against a passive suspect

   c. CEDs should not be used against pregnant women, elderly persons, young children, and/or visibly frail persons unless exigent circumstances exist.

   d. CEDs should not be used on a handcuffed persons unless they are actively resisting or exhibiting active aggression, and/or to prevent individuals from harming themselves or others.

   e. As with humans, CED use against aggressive/dangerous animals should be based upon the situation and level of danger toward the officer and/or others in the area.

   f. Severity of offense, suspect's demeanor, and other circumstances should be considered before an officer uses a CED. That a suspect is fleeing should not be the sole justification for use of a CED.

   g. A warning should be given to a person prior to activating the CED unless doing so would place any other person at risk.

   h. When applicable, an announcement should be made to other officers on the scene that a CED is going to be activated.

i. CEDs should not be used against suspects in physical control of a vehicle in motion, including automobiles, trucks, motorcycle, ATVs, bicycles and scooters unless exigent circumstances exist.

j. CEDs should not generally be used when a subject is in a location where a fall may cause substantial injury or death.

k. No more than one (1) officer should activate a CED against a suspect or other individual at one time.

l. Only Department-issued CEDs will be carried by officers.

m. CEDs should be carried in a holster on an officer's weak (support) side to avoid the accidental drawing and/or firing of an officer's sidearm.

n. When possible, emergency medical personnel should be notified when officers respond to calls for service where use of a CED is anticipated.

(1) All persons who have been exposed to CED activation should receive a medical evaluation based on established protocols.

o. Upon activation, the officer should use the CED for one standard cycle (5 [5] seconds) and stop to evaluate the situation. If subsequent cycles are necessary, they should be administered for the standard 5-second cycle. Only in *extreme circumstances* should more than three (3) cycles be administered.

p. Officers should avoid firing darts at a subject's head, neck, and genitalia.

q. CED darts should be treated as a biohazard. Officers should generally, remove CED darts that have penetrated a person's skin in compliance with training.

r. Only medical personnel should remove darts that have penetrated a person's sensitive areas.

s. Medical staff should be called to examine any individual that receives more than three (3) 5-second cycles of energy.

t. All persons who have been subjected to a CED activation should be monitored regularly while in police custody even if they have received medical attention/care.

u. If a subject is armed with a CED and threatens to or attacks an officer, the officer may defend him/herself to avoid becoming incapacitated and risking the possibility that the CED-armed subject could gain control of the officer's firearm. When possible, an officer should attempt to move outside the CED's range (approximately 21-feet) and seek cover, as well as request back-up officers to mitigate the danger.

v. CEDs should not be used in the known presence of combustible vapors, liquids, or other flammable substances, including but not limited to alcohol-based Oleoresin Capsicum (O.C.) Spray carriers.

3. Reporting Requirements for Use of CED – Refer to section 5.1.7, *REPORTING USE OF FORCE/DISCHARGE OF A FIREARM.*

4. Community Awareness – CED awareness should extend to law enforcement partners (local medical personnel, citizen review boards, medical examiners, mental health professionals, judges, and local prosecutors, for example). The Department may conduct neighborhood programs that focus on CED awareness training and if a citizen's training academy is implemented, CED training would be part of this program. The Department's CED Instructors should receive extensive training on CEDs in order to better inform the media and public about these devices. Department policy should be explained to members of the media should the situation warrant.

C. ASP Expandable Baton ("baton") - When an officer is confronted by an aggressive subject actively resisting arrest, attacking, threatening to attack, the officer may utilize their baton to that level of force necessary to overcome resistance to a lawful arrest, or to prevent an attack or injury. The following operational procedures shall be adhered to when utilizing the baton:

1. The baton may be used to strike the subject in the target areas of the body. The target areas are the torso, arms and legs. Intentional strikes to the head, kidney or groin must be avoided, if possible.

2. The baton may be used as a lever to induce pressure to cause the subject to cease aggressive behavior. Utilization of the baton to induce a chokehold should be avoided, except to protect the safety of the officer, other officers or the public.

3. The baton may be used to block strikes initiated by a subject directed at the officer or other person.

5.1.7 MEDICAL AID

A. Any employee who utilizes any use of force that results in an injury or an apprehension that results in an injury against a citizen will ensure that the appropriate medical aid is rendered.

1. Appropriate medical aid may consist of any of the following:

a. Increased observation of the citizen to detect obvious changes in the citizen's condition;

b. Flushing chemical agents from the citizen's eyes;

c. Application of First Aid;

d. If necessary, contact the Greensville County Volunteer Rescue Squad for evaluation and treatment;

e. If necessary, the citizen may need to be treated for their injuries at a Healthcare Facility and transportation may be achieved by the rescue squad or by a police vehicle.

5.1.8 REPORTING USE OF FORCE/DISCHARGE/DISPLAY OF A FIREARM

A. Any employee shall report any discharge or display of a firearm (excluding discharge during departmental training) or any use of force.

1. The employee will report the incident orally to the shift supervisor as soon as possible.

2. An officer shall submit a Blue Team Use of Force Report to his/her immediate supervisor and they copy the Operations Division Commander, Support Division Commander, Major and Chief of Police prior to the end of his/her shift during which the firearm was discharged or any use of force was deployed. Each Blue Team Use of Force Report undergoes an administrative review through the chain of command.

B. Employees shall immediately notify their supervisor after any type of physical, intermediate or deadly force has been utilized.

C. Whenever an officer utilizes physical, less-lethal and lethal force, as defined in General Order 5.1.1, *Use of Force-General Policy,* it shall be documented in the officer's Blue Team Use of Force Report. The report shall be submitted prior to the end of the officer's shift. Anything other than normal handcuffing

techniques will be considered a requirement for the Blue Team Use of Force report.

D. Whenever an officer utilizes any type of force, and there is a report of injury associated with the force utilized, a Blue Team Use of Force Report shall be submitted to the Chief of Police through the chain of command by the officer involved. The Blue Team Use of Force Report shall describe the reported injury and detail the circumstances surrounding the use of force. The Internal Affairs Unit will be the official responsible for conducting the investigation and shall follow the procedures defined in Chapter 29, *Internal Affairs*.

E. Whenever the use of physical, less-lethal or lethal force results in life threatening or serious physical injury, the supervisor shall notify the appropriate Division Commander, Major and Chief of Police.

F. Police Action Death Investigations

1. When any employee of the Emporia Police Department whose actions or use of force results in a serious bodily injury or death the Chief of Police or his designee shall contact the Virginia State Police Bureau of Criminal Investigations Chesapeake Field Office and request the Virginia State Police take over and conduct the criminal investigation.

2. Once the Virginia State Police agree to handle the criminal investigation, the Emporia Police Department will assist the Virginia State Police and Commonwealth Attorney to provide any form of documentation, to include: body cam and in-car camera footage, incident reports, field reports.

3. The Chief of Police will assign an Internal Affairs investigator to handle the administrative investigation, in accordance with Chapter 29 Internal Affairs. The internal affairs investigation will not commence until the criminal investigation has been completed and the Chief of Police will have a conversation with the Commonwealth Attorney to determine if the administrative investigation would interfere with the criminal prosecution if charges are filed.

4. The Commonwealth Attorney will make a decision whether they will handle this investigation and prosecution or if they will have a special prosecutor assigned to handle the investigation and prosecution.

    a. The Commonwealth Attorney will give legal advice to the Virginia State Police.

    b. The Commonwealth Attorney will review the case investigation and make a determination whether criminal charges will be filed against the officer(s).

5. The Chief of Police will make an initial press release about the incident which will state that the Virginia State Police is now handling the criminal investigation and that all future inquiries will be referred to the Virginia State Police Public Information Officer.

6. The Emporia Police Department will provide process and awareness training for all employees regarding police action death investigations

5.1.9 ADMINISTRATIVE REVIEW OF THE USE OF FORCE

A. The squad supervisor who oversees the involved officer will conduct an administrative review of the use of force incident to determine if the force utilized was used in within departmental policy. Such findings will be submitted through Blue Team to the Chief of Police through the chain of command.

B. During any stage of the administrative review the Supervisor, Division Commander, Major or the Chief of Police may refer any incident involving Use of Force to the Internal Affairs Unit for further investigation.

5.1.10 POST-INCIDENT PROCEDURES

A. Removal from Line of Duty Assignment

1. The following procedures apply to situations in which an employee's action(s) results in deadly force, discharges a firearm for the purpose of employing deadly force against a human being, involved in a motor vehicle collision that results in a serious injury or death, or any critical or traumatic incident.

   a. The shift supervisor shall notify the Major and Chief of Police.

   b. The employee will be relieved from duty and placed on administrative leave, suspension, or assigned duties that would not place the employee in direct contact with the public. The purpose of this is twofold:

      (1) To protect the community's interest when employees may have exceeded the scope of their authority in their actions or in their use of force.

      (2) To shield employees who have not exceeded the scope of their authority and avoid possible confrontations with the community.

B. The EPD recognizes that any use of force, or traumatic incident resulting in serious injury or death by a police officer, as well as any force or threat made to an officer while carrying out their duties, can have a significant impact on

the officer's emotional well-being. In order to minimize this impact and protect the emotional health of its officers, the following shall occur:

1. Following a use of force incident, either by or against a police officer, the need for intervention/counseling should be considered by the officer(s) involved and their supervisors. If any question arises about the appropriateness or necessity for a debriefing under these circumstances, the officer(s) or supervisors will contact the Department counselor, to review the situation, the immediate reactions, and to decide on the need for a debriefing.

2. All officers directly involved in a combat shooting, or involved in any incident where there was a significant threat to the lives of the officers, will be required to attend a debriefing at a counselor assigned by the Department after providing initial reports of the incident to the investigating supervisor.

5.1.11 AUTHORIZED FIREARMS AND AMMUNITION

A. Only weapons and ammunition authorized by the Department will be carried by officers while either on or off duty. At this time, the Department authorized sidearm to be carried by officers (full-time and animal control) while on duty is the Glock .40 caliber. The Chief of Police and the Major will carry a Glock 9 mm.

B. Only Department authorized ammunition will be used and/or carried. Presently, the only authorized ammunition to be issued and/or carried in the department issued handgun is .40 caliber, 180 grain, hollow point ammunition, or 9 mm caliber, 147 grain, hollow point ammunition. No other ammunition shall be carried on-duty or loaded in the department-issued handgun.

C. No secondary firearm will be carried while on-duty.

D. While in an off-duty status within the City, officers, if armed, may carry their issued firearm. If an officer wishes to carry an off-duty firearm, they must demonstrate proficiency and qualify with the off duty weapon. Once the officer qualifies with their off- duty weapon, the range instructor will document the officers' type of weapon, caliber, serial number and the score that the officer received on the range. Off duty firearms will be no smaller than .380 caliber and no larger than .45 caliber. Off duty weapons must be loaded with ammunition approved by the range instructor.

1. It is preferred that the firearm be carried concealed from common observation in a holster. Officers who are off-duty and carrying a firearm shall carry their badge and credentials.

E. The Emporia Police Department utilizes one special weapon besides the issued handgun. Officers of the Department are issued a patrol rifle.

1. The department utilizes the patrol rifle. The patrol rifles will utilize .223 caliber semi-automatic rifle ammunition 55 grain full metal jacket or 60 or 62 grain tap round.

2. Patrol rifles shall be stored in the trunk of the officer's assigned vehicle in its assigned protective case with a magazine readily available or in a rifle mount within officer's assigned patrol vehicle

F. The Major will issue firearms to a firearms instructor.

1 . Once a firearm is issued the department's firearms instructor will inspect the weapon prior to placing it into service.

2. The firearms instructor will then issue the firearm to the officer who will qualify at the range with the weapon.

3. The Major will maintain a record of all issued firearms, listing the make, model, serial number, and the identity of the assignee.

4. Firearm records will also list the date of training and approval of the scores used to qualify the user on the demonstration of proficiency and qualification.

5. The Department's training officer will maintain these records.

G. Officers firearms will be inspected by a firearms instructor during spring use of force training and fall qualifications.

H. Supervisors will inspect firearms issued to their officers during line inspection conducted at roll calls.

I. Firearms found to be unsafe shall be immediately removed from service.

J. All non-issued firearms are maintained and secured in the secure area in the Major's office.

K. Officers receive a gunlock when they are issued a handgun. It is strongly suggested that officers utilize this lock when they store their sidearm off-duty.

5.1.12 WEAPONS QUALIFICATIONS

A. On an annual basis, officers must qualify with their Department handgun on a day and night course, along with the patrol rifle with a minimum score of 70%, and demonstrate proficiency with less-lethal weapons.

B. The prescribed training course tests knowledge of applicable laws, safe handling of weapon(s) and firing weapon(s). The training officer shall ensure that the firearms courses meet the requirements set forth by the Virginia Department of Criminal Justice Services (DCJS). Proficiency in the use of weapons will include the demonstrated understanding of departmental policy outlined in General Orders 5.1.1, 5.1.2, and 5.1.3. For recruits, this will be accomplished by the field-training officer at the beginning of field training.

5.1.13 ANNUAL DEMONSTRATION OF PROFICIENCY

A. Firearm qualifications including the patrol rifle will be held on an annual basis. A required annual demonstration of proficiency will be conducted for all less-lethal weapons for all officers. DCJS-certified instructors will monitor all weapons training.

B. All Department weapons training will be documented and training records will be stored by the training officer. This includes on and off duty firearms, patrol rifle, qualifications and less lethal weapons.

C. An essential function for the role of a police officer is the ability to qualify with the issued sidearm, patrol rifle and demonstrate proficiency in the use of less-lethal weapons. At least annually, the Department conducts recertification exercises to establish and measure proficiency with the weapons. It is at these periodic recertification events that officer must demonstrate his/her ability to meet the minimum standards that have been established by the DCJS.

D. Officers not meeting the above criteria are subject to the following remedial training

1. Any officer failing to achieve a qualifying score with their issued sidearm, as well as the department patrol rifle will be given two additional attempts to qualify.

2. If the officer fails to qualify after three attempts, the officer will be placed on administrative duties with pay and will coordinate with the lead range instructor to receive remedial training and return to the range.

3. The remedial training will be conducted as soon as possible and will consist of at least sixteen (16) hours of training and three additional attempts to qualify.

4. The remedial training and additional qualification attempts must be completed within thirty (30) days of the initial failure to qualify.

5. If the officer does not qualify after remedial training he/she will then surrender his/her weapon(s) and will meet with the Chief of Police, the Major, and the range instructor.

6. Officers failing to demonstrate proficiency in the use of less-lethal weapons during annual recertification exercises will be scheduled for remedial training.

7. Failure to achieve a qualifying score with the Department-issued handgun and Patrol rifle, as well as demonstrating proficiency with less-lethal weapons after the appropriate remedial training may result in the dismissal of the officer.

E. The Department strictly prohibits the utilization of neck restraints, chokeholds, hog-tying or other similar weaponless control techniques.

5.1.14 POLICY TRAINING

A. All officers will receive and sign for the EPD *General Orders Manual* at the beginning of field training. Officers will be instructed in the policies described in General Orders 5.1.1 through 5.1.5 before being authorized to carry a weapon.

B. As part of the annual use of force training, officers will receive classroom training on the agency's use of force policies and procedures.

5.1.15 ANNUAL ANALYSIS OF USE OF FORCE REPORTS

A. The Chief of Police will conduct an annual analysis of use of force incidents, policies and practices as required in 5.1.7 (*Use of Force Incidents*). This analysis will determine if any trends or patterns have developed over the past year. The analysis should identify:

1. Date and time of incidents;

2. Types of encounters in use of force incidents;

3. Trends or patterns related to the individual force was utilized;

   a. race,

   b. age,

   c. gender.

4. Trends or patterns resulting in injury to:

a. suspect,

b. employee,

c. third party citizen.

5. Impact of findings on policies, practices, equipment and training

5.1.16 ANNUAL REVIEW OF ASSAULT ON POLICE OFFICERS

A. On an annual basis the Chief of Police will conduct a review of all assaults on Police Officers. The review will consist of:

1. Trends or Patterns:

a. Time of day;

b. Type of initial call for service;

c. Presence of multiple officers on scene;

d. Prior history of the suspect.

2. Recommendations:

a. Enhance officer safety;

b. Determine if policies and procedures should be revised;

c. Determine if training should be modified, revised or eliminated;

d. Prepare the agency for public information and media requests.

5.2 FIREARMS RANGE

5.2.1 POLICY

It is the policy of the Emporia Police Department to utilize the firing range to train police officers on the use of force, as well as the demonstration of weapons proficiency. All personnel who utilize the firing range must adhere to safety measures to ensure the safety of all personnel who are utilizing the firing range.

5.2.2 PURPOSE

The purpose of this policy is to ensure that employees utilizing the Emporia Police Department firing range have clear guidance to the rules and regulations that are expected when participating at the firing range. In addition, the purpose of the department's firing range is to enhance the use of force skills and the weapons proficiency of employees authorized to carry lethal and less-than-lethal weapons and that all personnel are committed to the safe use of the firing range.

5.2.3 FIRING RANGE PROCEDURES

A. Firing Range Rules and Regulations

1. The Emporia Police Department firing range will be utilized for law enforcement training purposes only, unless specifically authorized by the Chief of Police.

2. The Chief of Police will appoint a lead firearms instructor to coordinate the use of force training and firearms qualifications that are conducted within the Police Department.

3. A certified firearms instructor must be present at the firing range during training exercises.

4. All employees participating the in the use of force training and firearms qualifications will receive a briefing on safety procedures and range rules prior to utilizing the firing range during use of force training, firearms qualifications and open range practice.

5. Only lethal and less-than-lethal weapons and ammunition issued by the Police Department and authorized off-duty weapons will be utilized on the firing range, unless specifically authorized by the Chief of Police.

6. During firearms qualifications, use of force training or open range practice days, the firearms instructors will ensure that a police radio and/or a department issued cell phone is available to contact the

communications center to dispatch emergency medical services to the firing range in case of an accident.

7. No unauthorized personnel shall be at the firing range unless approved by the Chief of Police, Major or the Lead Firearms Instructor.

8. No firearms or ammunition will be stored at the firing range. Firearms and ammunition will be stored at the Police Department and transported to the firing range when needed. The foam target backings and paper targets are stored at the firing range shed.

9. All personnel training or qualifying on the Police Department's firing range will be required to wear their department issued ballistic vest.

10. All personnel training or qualifying on the Police Department's firing range will be required to wear eye and hearing protection while on the firing range.

11. Horseplay of any nature will not be tolerated and could lead to disciplinary action.

12. Only handguns and rifles will be utilized with the Police Department's issued foam target backings.

13. All individuals who are utilizing the Police Department's firing range will treat every weapon as if they are loaded.

14. All weapons must be cleared by a firearms instructor upon arriving at the firing range.

15. Weapons will only be pointed down range to ensure the safety of everyone utilizing the firing range.

16. All personnel will be required to collect brass and ensure that trash is place in the proper receptacle prior to leaving the firing range.

17. The firearms instructors will ensure that the gate to the firing range is securely locked when the range is closed.

B. Training

1. All Police Department firearms instructors will be required to successfully complete all of the Virginia Department of Criminal Justice Services requirements to become a firearms instructor.

2. All firearms instructors will be trained in CPR, the use of the AED and the Trauma Kit. This training will prepare each firearms instructor to be prepared to handle an emergency that may occur during training at the firing range.

C. Parking

1. The Police Department will provide a designated parking area for all individuals who are utilizing the firing range.

2. No vehicle will park in the area of the firing range, unless the vehicle is being utilized in a use of force scenario or if the emergency lights are being utilized during night fire qualifications

6.1 AGENCY JURISDICTION, MUTUAL AID AND REGIONAL SERVICES

6.1.1 GEOGRAPHICAL BOUNDARIES

A. The Communications Center will maintain and update as needed a map of the City of Emporia. The Major shall ensure that a map of the City is also updated within the Department.

B. Officers shall familiarize themselves with the map of the City of Emporia. Geographical boundary questions should be referred to the Communications Center, or a supervisor within the Department. See also, General Order, 37.3.2, *Field Reporting and Management*.

C. Officers assigned the Mobile Data Terminals shall have access to the map and jurisdictional boundaries of the City of Emporia.

6.1.2 CONCURRENT JURISDICTION/INTERAGENCY COOPERATION

A. Effective law enforcement is not a solitary effort, but requires the cooperation and interaction of many agencies. The EPD supports this concept and will cooperate fully with other agencies in the discharge of their duties.

B. EPD officers will enforce the ordinances of the City of Emporia and the laws of the Commonwealth of Virginia within the City limits. Officers will carry out all duties and responsibilities attributed to them by the Chief of Police.

C. The Emporia City Sheriff, Greensville County Sheriff's Office and the Virginia State Police have concurrent jurisdiction within the City of Emporia when enforcing the Code of Virginia. Personnel of the EPD will offer complete cooperation to members of these other agencies when they request our service within the City limits.

D. The Emporia City Sheriff and the Greensville County Sheriff's Office can assist the EPD within the City limits when a request for assistance is made by an EPD officer. The City and County Sheriff's deputies do not routinely patrol areas within the City limits; however, many of their duties and functions keep them within the City limits.

1. All traffic accidents occurring within the City limits, involving city owned vehicles will be handled by the EPD.

2. Accidents involving State owned vehicles would be handled by the Virginia State Police.

E. In any situation where a question arises concerning jurisdiction with another agency, the responding EPD officer will make every attempt to resolve the matter in the most professional manner. If the matter is not resolved, the officer shall immediately notify their supervisor for

resolution. The supervisor should handle the matter with the best interests of the community in mind. A memorandum outlining the situation shall be submitted to the Chief of Police through the chain of command.

F. The Emporia Police Department's Communication Center is the Public-Safety Answering Point for emergency and non-emergency calls for service within the City of Emporia. All police, fire and rescue calls within the City of Emporia are dispatched by Emporia Communications Officers. If the Emporia Communications Center receives a call for service that is or has occurred within Greensville County, then the dispatcher will transfer the call to the Greensville County Communications Center or if it is an emergency fire or rescue call the Emporia dispatcher should take initial information and dispatch fire or rescue and then transfer the call to the Greensville County Communications Center.

G. Greensville County Sheriff's Office Communication Center serves as a back-up for the Emporia Police Department's Communication Center and vice-versa.

6.1.3 MUTUAL AID

A. The Department is governed by Virginia State Code 15.2-1730-Calling upon law enforcement officers of counties, cities or towns for assistance.

1. In cases of emergency declared by the Chief of Police, he may call upon the chief law enforcement officers of adjoining counties, cities or town's for assistance from his or her deputies or police officers without the necessity of deputizing such deputies or officers.

2. The Chief of Police and the Greensville County Sheriff have entered into a mutual aid agreement to assist each other in times of emergency. Below is the Mutual Aid Agreement.

   WHEREAS, Virginia law now authorizes Sheriffs to enter into reciprocal Agreements for the cooperation in the furnishing of law enforcement services; and

   WHEREAS, the local Sheriff and Chief of Police have determined that the provisions of law enforcement aid across jurisdictional lines will increase their ability to preserve the safety and welfare of the entire area; and

   WHEREAS, it is deemed to be mutually beneficial to both Emporia and Greensville, to enter into agreement concerning mutual aid with regard to law enforcement; and

WHEREAS, the parties desire that the terms and conditions of any such Law Enforcement Mutual Aid Agreement be established; NOW THEREFORE,

WITNESSETH:

That for and in consideration of the mutual benefits to be derived by Emporia and Greensville from this Law Enforcement Mutual Aid Agreement, Emporia and Greensville hereby covenant and agree, each with other, as follows:

1. The Sheriff of Greensville and Chief of Emporia will endeavor to provide law enforcement support to their jurisdictions, within the borders of the two respective jurisdictions, within the capabilities available at the time the request for such support is made and within the terms of this Agreement.

2. Nothing contained in this Agreement should in any manner be construed to compel any of the parties hereto to respond to a request for law enforcement support when the law enforcement personnel of the jurisdiction to whom the request is made are, in the opinion of the requested jurisdiction, needed or are being used within the boundaries of that jurisdiction to continue to provide law enforcement support in another jurisdiction, or when its law enforcement personnel or equipment, in the opinion of the requested jurisdiction, are needed for other duties within the boundaries of its jurisdiction.

3. No party to this Agreement shall be liable to any other party herein for any loss, damage, personal injury, or death to law enforcement personnel or equipment resulting from the performance of this Agreement, whether such occur within or without the jurisdictional boundaries of the respective parties hereto.

4. There shall be no liability to any of the parties hereto for reimbursement for injuries to law enforcement, equipment, or personnel occasioned by a response or law enforcement action, or for injuries to such equipment or personnel incurred when going to or returning from another jurisdiction. Neither shall the parties be liable to each other for any cost associated with, or arising out of, the rendering assistance pursuant to this Agreement.

5. Requests for assistance pursuant to the terms and conditions of this Agreement shall be made by the Chief of

Emporia, or his designee, or the Sheriff of Greensville County, or his designee, through the agency chain of command and according to agency policy.

a. The following individuals will serve as the designee for the Chief of Police when invoking a mutual aid request:

(1) Major;

(2) Operations Division Commander;

(3) Support Division Commander;

(4) On-Duty Patrol Supervisor;

(5) Communications Officer, only when a supervisor is incapable of doing so.

6. When deputies or officers are requested to assist the other jurisdiction, those deputies or officers will report to the on-duty supervisor, or highest ranking official of the requesting agency for assignment. There may be occasions, when the requesting jurisdiction does not have available units, the responding agency will respond to the location for the call for service and will answer that call for service.

7. The requesting jurisdiction shall be responsible for establishing a radio communications system for use by the requested jurisdiction. Each jurisdiction shall create and maintain a mutual aid implementation plan as part of their communications standard operation procedure manual. In the event of plan implementation, the exchange of portable radio units between the requesting and responding agencies, in an effort to allow direct communications between the jurisdictions, shall constitute fulfillment of this requirement.

8. The personnel of the requested jurisdiction shall render such assistance under the direction of the Chief of Emporia, or the Sheriff of Greensville County, as the case may be, designated by the requesting jurisdiction; provided, however, that the ultimate control of the personnel of any party rendering assistance shall rest with the deputies or supervisors of such personnel. The personnel shall be governed by their agency's policies and procedures and their training and abilities within those guidelines.

9. The services performed and expenditures made under the Agreement shall be deemed for public and governmental

purposes and all immunities from liability enjoyed by the local government within its boundaries shall extend to its participation in rendering assistance outside its boundaries shall extend to its participation in rendering assistance outside its boundaries. It is understood that for purposes of this agreement, the responding party is rendering aid once it has entered the jurisdictional boundaries of the party receiving assistance.

10. All pension, relief, disability, worker's compensation, life and health insurance, and other benefits enjoyed by said employees shall extend to the services they perform under this Agreement outside their respective jurisdictions.

11. All deputies, police officers and other employees of the parties to this Agreement shall have the same powers, rights, benefits, privileges, and immunities in each jurisdiction subscribing to this Agreement, including the authority to make arrests in each such jurisdiction subscribing to this Agreement.

12. The parties of this Agreement recognize that they are each fully capable of independently providing services to adequately serve their respective political subdivisions. This cooperative Agreement is entered into furtherance of the policies set forth in VA CODE 15.2-1726 and 15.2-1730 and shall be without prejudice to the Sheriffs or Police Officers.

13. Law Enforcement support provided by each of the Sheriff and Chief pursuant to this Agreement shall include (if available), but not limited to the following resources:

    a. Manpower Support – to include uniformed deputies, police officers, tactical team, canine officer with a patrol/narcotics detecting canine, and plainclothes officers;

    b. Forensic Support – to include Crime Scene Unit with equipment;

    c. Marine Support – to include law enforcement watercraft;

    d. Communications Support – mobile, portable, and other radio equipment;

    e. Any other related law enforcement equipment;

f. To answer or stand by for any law enforcement call for service in the County of Greensville with full authority as long as requested by Greensville.

14. Subject to the terms of this Agreement Greensville County and City of Emporia agree to provide assistance to the requesting jurisdiction to include in situations requiring the mass processing of arrestees, and transport of arrestees.

15. Deputies and Officers responding to this Agreement shall be granted authority to enforce the law of the Commonwealth of Virginia and to perform the other duties of a law enforcement officer; such authority shall be in conformance with VA. CODE 15.2-1724, 15.2-1726, 15.2-1727, 15.2-1730, AND 15.2-1730.1

16. It is specifically agreed that the Sheriff and his deputies of Greensville and the Chief and his officers of Emporia shall have full arrest powers in both county and city for the duration for the valid and authorized request for assistance while in the requesting jurisdiction.

17. On an annual basis the Sheriff of Greensville County and the Chief of Police for the City of Emporia will review this mutual aid agreement and if necessary make revisions to this agreement.

18. This Agreement repeals and supersedes all previous written agreements or oral understandings relating to the provision of mutual aid of law enforcement services. With the exception of those portions of other agreements and documents referred to herein, this Agreement represents the sole document regulating the provision of mutual law enforcement services.

19. This Agreement may be terminated at any time by any party giving thirty (30) days written notice to that effect to the other parties hereto.

6.1.4 FEDERAL LAW ENFORCEMENT/NATIONAL GUARD ASSISTANCE

A. In the event of an emergency requiring federal law enforcement assistance, the appropriate federal agency may be solicited by the supervisor. The Chief of Police or his/her designee shall be briefed as soon as practical of the situation.

B. An emergency may arise necessitating the call out of the Virginia National Guard. The City Manager and the Emergency Services Coordinator, in coordination with the mayor, shall make a request for

assistance to the Office of the Governor. The governor shall decide what assistance, if any, will be rendered.

7.1 ORGANIZATON

7.1.1 ORGANIZATIONAL STRUCTURE

A. The Department is divided into four (4) major components:

1. The Office of the Chief of Police;
2. Operations Division;
3. Support Division;
4. Administrative Services Division.

B. Each component is subdivided into sections or units.

1. The Office of the Chief of Police –

a. The Chief of Police is responsible for the overall management of the Department, including the major areas of personnel administration, fiscal management, and policy formulation. As a department head, the Chief of Police reports directly to the city manager. The Chief of Police is assisted in the management of the Department by the Major, both Division Commanders and the Administrative Services Manager.

(1) Internal Affairs– The Major and both Division Commanders will comprise the Internal Affairs Unit and will report directly to the Chief of Police. The internal affairs function, which is responsible for investigating allegations of serious police misconduct generated from within the Department or from outside sources. (See Chapter 29, *Internal Affairs*.)

(2) Accreditation – The Operations Division Commander will serve as the Department's CALEA Accreditation Manager. The Accreditation Manager is responsible for ensuring that the agency's written directives and proofs of compliance are kept up to date in the department's Power DMS Accreditation module.

b. The Major serves as the department's deputy chief of police and oversees the Operations, Support and Administrative Services Divisions. The Major assists in planning the department budget, implementing policy and serves as the Chief of Police in his absence. The Major serves as the Department's Training Coordinator.

c. Administrative Assistant – The administrative assistant has the principle responsibility for planning and administering the departmental budget. This individual also

provides direct administrative and secretarial support to the Chief of Police and a wide variety of administrative services for the EPD as a whole. This individual is responsible for the department payroll, timekeeping and maintenance of leave balances for employees. In addition, this individual is responsible for the ordering of all police equipment and supplies.

2. Operations Division- This division is commanded by the Operations Division Commander who holds the rank of Captain and is responsible for the operation and administration of the Operations Division.

   a. Patrol Section – The Patrol Section is the backbone of the Emporia Police Department. Patrol consists of two patrol rotations that provide continuous coverage to the City of Emporia. Each patrol rotation is supervised by a patrol lieutenant who reports directly to the Operations Division Commander.

      (1) A Rotation – Rotation A is supervised by a Lieutenant and assisted by two Sergeants, which provides police coverage for 12 hour shifts. Supervisory authority is outlined in General Order 7.2.2. *Command of Organization Components*. They respond to calls for service, render assistance to persons in need, conduct preliminary investigations, and strive to preserve the peace while preventing crime. They also enforce the traffic code within the City of Emporia.

      (2) B Rotation – Rotation B is supervised by a Lieutenant and assisted by two Sergeants, which provides police coverage for 12 hour shifts. Supervisory authority is outlined in General Order 7.2.2. Command of Organization Components. They respond to calls for service, render assistance to persons in need, conduct preliminary investigations, and strive to preserve the peace while preventing crime. They also enforce the traffic code within the City of Emporia.

         (a) K-9 Units –If resources are available a K9 unit will be assigned to the Operations Division and will provide the Department with narcotics detection, assisting in locating missing children and persons and canine demonstrations. They will

also be responsible for handling calls for service.

b. Special Operations Section- This section is supervised by a lieutenant and is responsible for all traffic enforcement, collision investigation and ancillary services.

(1) Traffic- The traffic function will consist of traffic enforcement, investigation of traffic collisions, providing escorts, and any other traffic ancillary services. In addition, this section will be responsible for preparing the monthly traffic analysis. This section will assist and work special events. Finally, this section will serve as a back-up to patrol and will respond to calls for service when needed.

3. Support Division – This division is commanded by the Support Division Commander who holds the rank of Captain and is responsible for the operation and administration of the Support Division. The Captain serves as the Property and Evidence Custodian.

a. The Criminal Investigations Section is divided by general and narcotics investigations.

(1) General Investigations is supervised by a Lieutenant and assisted by a Sergeant. General Investigations is comprised of general detectives who are responsible to conduct follow up investigations of criminal offenses within the City of Emporia and to identify, apprehend, and successfully prosecute criminal offenders. In addition, they will be responsible for conducting background investigations on applicants and will actively serve arrest warrants, capias and summonses.

(a) The General Investigations Lieutenant also supervises the evidence processing work of the detectives assigned to the Criminal Investigations Section.

(b) The Department will assign at least one detective to work criminal investigations, as well community policing.

i. Community Policing – The community policing function is responsible for crime

prevention and community policing within the City of Emporia, as well as some events outside of the City as deemed appropriate by the Chief of Police. The Support Division Commander is responsible in coordinating special events and scheduling the appropriate personnel to work the event.

(c) Several detectives may be assigned to Work MDT/Domestic Violence/Sex Offenses.

(d) The Narcotics/Gang Detective is responsible for investigating narcotics and gang investigations. This detective will serve arrest warrants, conduct surveillances. This detective will not work in an undercover capacity. This detective will also be responsible for detecting narcotics that are traveling through highways and street within the city of emporia.

(e) The Narcotics Task Force Detective is assigned to the state task force and is responsible for investigating narcotics and gang investigations. This detective will serve arrest warrants, conduct surveillances. This detective may work in an undercover capacity by making drug buys and working confidential informants. This detective will also be responsible for detecting narcotics that are traveling through highways and city streets.

b. Property/Evidence – This function is the responsibility of the Captain and shall be accountable for control of all property and evidence stored by the department. The General Investigations Lieutenant will serve as the Captain's back-up to Property and Evidence. In the event that either the primary or back-up custodian is out of work for an extended period of time, then the Chief of Police will temporarily appoint a back-up custodian.

c. Animal Control – The Animal Control Section is comprised of a Senior Animal Control Officer and a Shelter Attendant. The Senior Animal Control Officer is responsible for the enforcement of City of Emporia animal ordinances. In addition, Animal Control is responsible for the housing and safekeeping of animals that have either been seized or turned in by residents who cannot care for them and attempt to find homes for those animals.

4. Administrative Services Division- This division is commanded by the Administrative Services Manager and is responsible for the operation and administration of the E-911 Communications Center and the Records function.

a. Communications Center – The Communications Center is supervised by the Communications Supervisors. The center is comprised of communications officers who receive and dispatch emergency and non-emergency calls for service for police, fire and rescue. The Communications Center is also responsible for making entries into NCIC/VCIN.

b. Records Section – The Administrative Services Manager is assigned the Records function and is responsible for the management and security of arrest records, investigative reports, warrants, and related documents. Submissions of IBR to the State Police is a responsibility of this function. In addition, this function is responsible for computer and software concerns within the department.

7.1.2 ORGANIZATION CHART

A. The Department organizational chart will be updated as necessary and made available to all EPD personnel.

7.2 UNITY OF COMMAND

7.2.1 IMMEDIATE SUPERVISION

A. Each employee is accountable to only one supervisor at any given time. If an employee is not sure which supervisor his/she is accountable to, the employee shall query the supervisor present. Occasions may arise requiring a supervisor to issue an order to an employee outside the supervisor's immediate responsibility. Nothing in this chapter will prevent this.

7.2.2 COMMAND OF ORGANIZATIONAL COMPONENTS

A. Each division, section or unit of the EPD is under the direct command of only one supervisor. When two or more officers of the same rank are on duty and supervising the same area of responsibility within the Department, the chain of command will be determined according to time in grade, except when otherwise designated by a superior officer. Time in grade is determined by the length of time within a given grade as determined by appointment date to that specific grade.

B. In the event the Chief of Police is not available, the Major will provide command and direction to the Department.

7.3. SPAN OF CONTROL

7.3.1 SPAN OF CONTROL

A. Supervisors of the Department are given specific areas of assignments over which they are in command. The number of employees under a supervisor's immediate control shall be determined by the Chief of Police to ensure effective direction, coordination, and control is maintained.

B. Supervisors will be responsible for the daily supervision and long range guidance, responsiveness, and evaluation of those employees under their direct control.

C. A supervisor may have to temporarily supervise employees assigned to other supervisors. When this occurs the immediate needs of the employees will be the responsibility of the supervisor present.

7.4 AUTHORITY AND RESPONSIBILITY

7.4.1 DELEGATION OF AUTHORITY/ACCOUNTABILITY

A. At every level within the Department, personnel are given the authority to make decisions necessary for the effective execution of their responsibilities. The duties or assignments of command staff or a supervisory officer may be delegated to an officer/individual of lesser rank. However, the overall responsibility for completion of those duties remains with the command staff or supervisory officer delegating the duties. Legal questions on authority should be referred to the City's Attorney or Commonwealth's Attorney. Procedural questions on authority should be referred to the immediate supervisor.

B. Each departmental employee will be held accountable for the use of, or failure to use, delegated authority. Acceptance of and proper use of authority will be evaluated during the performance evaluation process.

Improper use of authority or failure to accept authority will be reported to the appropriate division commander through the chain of command.

7.4.2 SUPERVISORY ACCOUNTABILITY

A. Supervisors will be held accountable for the performance of the employees under their immediate supervision. Supervisors may free themselves of the actual performance of a given task, but they cannot detach themselves from responsibility or accountability for the accomplishment of the task.

7.1 ORGANIZATON

7.1.1 ORGANIZATIONAL STRUCTURE

A. The Department is divided into three (3) major components:

1. The Office of the Chief of Police;
2. Operations Division;
3. Support Division.

B. Each component is subdivided into sections or units.

1. The Office of the Chief of Police –

a. The Chief of Police is responsible for the overall management of the Department, including the major areas of personnel administration, fiscal management, and policy formulation. As a department head, the Chief of Police reports directly to the city manager. The Chief of Police is assisted in the management of the Department by the Major and both Division Commanders.

(1) Internal Affairs– The Major and both Division Commanders will comprise the Internal Affairs Unit and will report directly to the Chief of Police. The internal affairs function, which is responsible for investigating allegations of serious police misconduct generated from within the Department or from outside sources. (See Chapter 29, *Internal Affairs*.)

(2) Accreditation – The Operations Division Commander will serve as the Department's CALEA Accreditation Manager. The Accreditation Manager is responsible for ensuring that the agency's written directives and proofs of compliance are kept up to date in the department's Power DMS Accreditation module.

b. The Major serves as the department's deputy chief of police and oversees the Operations and Support Divisions. The Major assists in planning the department budget, implementing policy and serves as the Chief of Police in his absence. The Major serves as the Department's Training Coordinator.

c. Administrative Assistant – The administrative assistant has the principle responsibility for planning and administering the departmental budget. This individual also provides direct administrative and secretarial support to the Chief of Police and a wide variety of administrative

services for the EPD as a whole. In addition, she is responsible for the ordering of all police equipment and supplies.

d. Records Section – This section is assigned a Records Technician who is responsible for the management and security of arrest records, investigative reports, warrants, and related documents. Submissions of IBR to the State Police is a responsibility of this function. In addition, this function is responsible for computer and software concerns within the department.

2. Operations Division- This division is commanded by the Operations Division Commander who holds the rank of Captain and is responsible for the operation and administration of the Operations Division.

a. Patrol Section – The Patrol Section is the backbone of the Emporia Police Department. Patrol consists of two patrol rotations that provide continuous coverage to the City of Emporia. Each patrol rotation is supervised by a patrol lieutenant who reports directly to the Operations Division Commander.

(1) A Rotation – Rotation A is supervised by a Lieutenant and assisted by two Sergeants, which provides police coverage for 12 hour shifts. Supervisory authority is outlined in General Order 7.2.2. *Command of Organization Components*. They respond to calls for service, render assistance to persons in need, conduct preliminary investigations, and strive to preserve the peace while preventing crime. They also enforce the traffic code within the City of Emporia.

(2) B Rotation – Rotation B is supervised by a Lieutenant and assisted by two Sergeants, which provides police coverage for 12 hour shifts. Supervisory authority is outlined in General Order 7.2.2. Command of Organization Components. They respond to calls for service, render assistance to persons in need, conduct preliminary investigations, and strive to preserve the peace while preventing crime. They also enforce the traffic code within the City of Emporia.

(a) K-9 Units –If resources are available a K9 unit will be assigned to the Operations Division and will provide the Department

with narcotics detection, assisting in locating missing children and persons and canine demonstrations. They will also be responsible for handling calls for service.

b. Special Operations Section- This section is supervised by a lieutenant and is responsible for all traffic enforcement, collision investigation and ancillary services.

(1) Traffic- The traffic function will consist of traffic enforcement, investigation of traffic collisions, providing escorts, and any other traffic ancillary services. In addition, this section will be responsible for preparing the monthly traffic analysis. This section will assist and work special events. Finally, this section will serve as a back-up to patrol and will respond to calls for service when needed.

3. Support Division – This division is commanded by the Support Division Commander who holds the rank of Captain and is responsible for the operation and administration of the Support Division. The Captain serves as the Property and Evidence Custodian.

a. The Criminal Investigations Section is divided by general and narcotics investigations.

(1) General Investigations is supervised by a Lieutenant and assisted by a Sergeant. General Investigations is comprised of general detectives who are responsible to conduct follow up investigations of criminal offenses within the City of Emporia and to identify, apprehend, and successfully prosecute criminal offenders. In addition, they will be responsible for conducting background investigations on applicants and will actively serve arrest warrants, capias and summonses.

(a) The General Investigations Lieutenant also supervises the evidence processing work of the detectives assigned to the Criminal Investigations Section.

(b) The Department will assign at least one detective to work criminal investigations, as well community policing.

i. Community Policing – The community policing function is responsible for crime

prevention and community policing within the City of Emporia, as well as some events outside of the City as deemed appropriate by the Chief of Police. The Support Division Commander is responsible in coordinating special events and scheduling the appropriate personnel to work the event.

(c) One detective may be assigned to work MDT/Domestic Violence/Sex Offenses.

(d) The Narcotics/Gang Detective is responsible for investigating narcotics and gang investigations. This detective will serve arrest warrants, conduct surveillances. This detective will not work in an undercover capacity. This detective will also be responsible for detecting narcotics that are traveling through highways and street within the city of emporia.

(e) The Narcotics Task Force Detective is assigned to the state task force and is responsible for investigating narcotics and gang investigations. This detective will serve arrest warrants, conduct surveillances. This detective may work in an undercover capacity by making drug buys and working confidential informants. This detective will also be responsible for detecting narcotics that are traveling through highways and city streets.

b. Property/Evidence – This function is the responsibility of the Captain and shall be accountable for control of all property and evidence stored by the department. The General Investigations Sergeant will serve as the Captain's back-up to Property and Evidence. In the event that either the primary or back-up custodian is out of work for an extended period of time, then the Chief of Police will temporarily appoint a back-up custodian.

c. Communications Center – The Communications Center is supervised by Communications Supervisor. The center is comprised of communications officers who receive and dispatch emergency and non-emergency calls for service for police, fire and rescue. The Communications Center is also responsible for making entries into NCIC/VCIN.

d. Animal Control – The Animal Control Section is comprised of a Senior Animal Control Officer and an Animal Control Officer. These Officers are responsible for the enforcement of City of Emporia animal ordinances. In addition, Animal Control is responsible for the housing and safekeeping of animals that have either been seized or turned in by residents who cannot care for them and attempt to find homes for those animals.

7.1.2 ORGANIZATION CHART

A. The Department organizational chart will be updated as necessary and made available to all EPD personnel.

7.2 UNITY OF COMMAND

7.2.1 IMMEDIATE SUPERVISION

A. Each employee is accountable to only one supervisor at any given time. If an employee is not sure which supervisor his/she is accountable to, the employee shall query the supervisor present. Occasions may arise requiring a supervisor to issue an order to an employee outside the supervisor's immediate responsibility. Nothing in this chapter will prevent this.

7.2.2 COMMAND OF ORGANIZATIONAL COMPONENTS

A. Each division, section or unit of the EPD is under the direct command of only one supervisor. When two or more officers of the same rank are on duty and supervising the same area of responsibility within the Department, the chain of command will be determined according to time in grade, except when otherwise designated by a superior officer. Time in grade is determined by the length of time within a given grade as determined by appointment date to that specific grade.

B. In the event the Chief of Police is not available, the Major will provide command and direction to the Department.

7.3. SPAN OF CONTROL

7.3.1 SPAN OF CONTROL

A. Supervisors of the Department are given specific areas of assignments over which they are in command. The number of employees under a supervisor's immediate control shall be determined by the Chief of Police to ensure effective direction, coordination, and control is maintained.

B. Supervisors will be responsible for the daily supervision and long range guidance, responsiveness, and evaluation of those employees under their direct control.

C. A supervisor may have to temporarily supervise employees assigned to other supervisors. When this occurs the immediate needs of the employees will be the responsibility of the supervisor present.

7.4 AUTHORITY AND RESPONSIBILITY

7.4.1 DELEGATION OF AUTHORITY/ACCOUNTABILITY

A. At every level within the Department, personnel are given the authority to make decisions necessary for the effective execution of their responsibilities. The duties or assignments of command staff or a supervisory officer may be delegated to an officer/individual of lesser rank. However, the overall responsibility for completion of those duties remains with the command staff or supervisory officer delegating the duties. Legal questions on authority should be referred to the City's Attorney or Commonwealth's Attorney. Procedural questions on authority should be referred to the immediate supervisor.

B. Each departmental employee will be held accountable for the use of, or failure to use, delegated authority. Acceptance of and proper use of authority will be evaluated during the performance evaluation process. Improper use of authority or failure to accept authority will be reported to the appropriate division commander through the chain of command.

7.4.2 SUPERVISORY ACCOUNTABILITY

A. Supervisors will be held accountable for the performance of the employees under their immediate supervision. Supervisors may free themselves of the actual performance of a given task, but they cannot detach themselves from responsibility or accountability for the accomplishment of the task.

8.1 DIRECTION

8.1.1 RESPONSIBILITIES OF THE CHIEF OF POLICE

A. The Chief of Police is the chief executive officer of the Department. The chief has the authority and responsibility for the management, direction and control of the operation and administration of the Department

B. The Chief of Police reports directly to the City Manager and is given wide latitude in interpreting and applying policies, rules, and regulations within the Department. The City's manager and Council rely on the chief's discretion and independent judgment in the management and operation of the Department.

8.1.2 ORDER OF COMMAND / COMMAND PROTOCOL

A. In the Absence of the Chief of Police

1. When the Chief of Police is off for an extended period of time such as annual leave, incapacitated, out of town, or otherwise unable to command then the Major will serve as the acting chief of police in his absence.

2. When the Chief of Police is out of the office for an extended period of time he will designate in writing that the Major will serve as the "Acting" Chief of Police in his absence.

B. In Exceptional Situations

1. In the event time and circumstances do not allow a written directive to be issued, the Major will assume command of the situation and serve as the Officer in Charge.

2. If a situation requires the activation of the Incident Command System, then the first officer on scene will serve as Incident Commander until relieved by a supervisor. It should be noted that the presence of a superior officer on the scene does not place that officer in charge of the scene until that supervisor assumes control and announced that they are in command of the scene. The Communications Supervisor will assume command within the Communications Center, and if the Communications Supervisor is not on-duty, then the Support Division Commander will appoint a communications officer as a communications officer-in-charge.

C. Combined Operations

1. In situations involving personnel of different sections engaged in a single operation, command authority will be the responsibility of the supervisor conducting the operation, or as otherwise designated by the Chief of Police.

D. Normal Operations

1. Command Authority in the day-to day operations of the Emporia Police Department is as follows:

    a. Chief of Police
    b. Major
    c. Operations Division Commander-Captain
    d. Support Division Commander- Captain
    e. On-Duty Patrol Lieutenant
    f. Special Operations Lieutenant
    g. General Investigations Lieutenant
    h. On-Duty Patrol Sergeant
    i. Criminal Investigations Sergeant

2. Each Section or Unit is supervised by a Lieutenant, Sergeant or Communications Supervisor who is responsible for the day-to day operations of the employees assigned to their command.

3. Officers assigned to a call for service, incident or other event will be in charge of unless relieved by a supervisor or detective.

4. Detectives who are called out or respond to an investigation will be in charge of that investigation, to include the crime scene unless relieved by a supervisor.

5. In all instances, where a supervisor relieves the officer or detective at the scene, that supervisor will then assume control of the call for service, incident or event

8.1.3 OBEDIENCE TO ORDERS / CONFLICTING ORDERS

A. Employees are required to obey any lawful order issued by a supervisor, including any order relayed from a supervisor by an employee of the same or lesser rank.

B. Any employee who receives an order that conflicts with any previous order will advise the person who issued the second order of the conflict.

C. Responsibility for countermanding the original order rests with the supervisor who issued the second order.

D. In the event neither issuing supervisor can be advised of the conflicting orders, the employee will carry out the most recent order and advise a supervisor as soon as possible of the conflict.

8.1.4 LIAISON WITH OTHER FUNCTIONS

A. Detectives working evening shift will attend the patrol roll call to ensure a two- way exchange of information between patrol and investigations.

B. Communications Officers will attend the morning and evening rolls calls to ensure a two-way exchange of information between the communications center and patrol.

C. As a part of the officer's pre-tour responsibilities all personnel are responsible for reviewing any information disseminated by the Department regarding "hot spots" within the city.

D. The on-duty supervisor and the evening detective will send a pass-on e-mail to all members of the department advising them of activities, calls for service and investigations conducted during the shift.

D. The supervisor conducting roll call will ensure that their personnel are reviewing all sources of information.

E. New policies or procedures will be reviewed according to General Order 8.2.1, *Written Directive System*.

F. The Chief of Police will conduct monthly command staff meetings with the Major, Captains, Lieutenants, Communications Supervisor and Senior Animal Control Officer of which day and time will be at the discretion of the Chief of Police. On occasions, the Chief of Police may have the Sergeants attend this meeting.

8.2 WRITTEN DIRECTIVES

8.2.1 WRITTEN DIRECTIVE SYSTEM

A. The EPD strives to develop and distribute written information that will provide proper guidance to all departmental employees in carrying out their duties. Written directives consist of general orders, regulations, command staff and general memorandums.

B. To ensure that all employees of the Department are familiar and trained with all policies and procedures, the following procedure is mandatory when a new General Order is released by the Chief of Police:

1. The Chief of Police will issue, amend, modify, or delete any policy, procedure, rules or regulation deemed necessary.

2. Command Staff will review and ensure that their subordinates understand any revised policy and procedures once disseminated.

   a. It is the intent of the Department to make all employees aware of those policies and procedures affecting their areas of responsibility, and keep them generally informed about those items pertaining to employment with the Department through an established written directives system.

3. Any Command or Supervisory Staff member can issue any directive, or memorandum that affects their scope of authority.

C. Policy is a statement of the Department's philosophy on a given issue, consisting of values and principles that guide the performance of the employee.

D. Procedure directs action in a specific situation to be handled in a specific manner within the guideline of policy. Department employees may depart from procedures if in their professional judgment the situation warrants. Justification for departure from departmental procedures will be required.

E. Regulation is an administrative order governing organizational matters or behaviors of employees.

1. Regulations of the Department are detailed in an introductory chapter to this *General Orders Manual*. This chapter is indexed in an outline format, with sections listed alphabetically and subsections numerically.

2. General Orders Manual - This manual is organized by major topic areas (chapters), which are further defined by sections. The manual contains an alphabetical index, by topic. The Chief of Police authorizes reviews of the manual. Upon completion, following the mandatory procedures under "B" above, the resulting notations/changes are immediately distributed to all employees. An annual review of the manual is conducted to purge and update amended general orders.

F. The Chief of Police has sole authority to issue, revise and distribute the Department's General Orders, rules and regulations.

G. All proposed General Orders and regulations are distributed to employees for review, suggestions and comments. The administrative review of the proposed new general order or rules and regulations will ensure that it does not contradict any other agency general order or conflicts with a local, state or federal law.

H. All other directives are reviewed by the issuing authority.

I. The Department's General Orders shall be available to all employees. The primary tool to access general orders is Power DMS. Power DMS is a web based document management system that employees can access from any computer with internet capabilities. This is an access restricted program that employees can only read or print the general orders. The Chief of Police will maintain a copy of the General Orders manual on a separate external hard drive.

8.2.2 DISTRIBUTION OF DIRECTIVES

A. General Orders shall be electronically distributed to employees upon authorization from the Chief of Police.

B. Electronic distribution shall be through the Power DMS computer program, which all employees have access to.

C. Once the Chief of Police has approved a general order it is issued to all employees who will receive an e-mail notification that a revision or change has occurred and is published in Power DMS program.

D. E-mail notifications will include the unique General Order number, title and deadline for reading and electronically signing each order.

E. New or revised General Orders shall be electronically distributed to all employees on, or prior to the effective date of the General Order.

9.1 GENERAL MANAGEMENT

9.1.1 BUILDING ACCESS

A. The Police Department building is a secured facility. All persons with business at the Police Department will utilized the intercom system at the front door of the Police Department. The Communications Center will respond to individuals needing assistance through the intercom system.

B. Once an individual is granted access into the Police Department, then they will need to be escorted by the employee who has granted the individual access until they leave the building.

C. No individuals outside of the Police Department will have full access within the building, unless they are contract workers conducting business for the Police Department.

9.1.2 MANAGEMENT INFORMATION SYSTEM

A. Effective and efficient administrative practices and procedures help ensure that appropriate information flows when and where needed within the Department, and that management decisions are based on the best available information. Coordinated administrative activities will reduce the possibility of duplication, overlap, possible gaps and wasted effort. Personnel must be aware of the general administrative practices and procedures of the Department.

B. Management Information System – This system includes the flow of information, written and oral, between individuals, units, sections, divisions and the Office of the Chief of Police. This system includes reports of the law enforcement function (i.e., incidents, offenses, and arrests), and reports relating to personnel activities and needs. The information system will be utilized for determining personnel allocation and needs, resource needs, predicting workloads and preparing budgets.

C. Administrative Reporting System - This system is designed to provide information concerning activities of the EPD. This data will be disseminated within the Department by being forwarded through the chain of command. These reports may include:

1. Daily Reports.

2. Monthly Reports.

3. Miscellaneous Reports.

9.1.4 FORM ACCOUNTABILITY SYSTEM

A. The Chief of Police is responsible for the development, modification and implementation of all Department forms.

B. Forms will be developed with input from the command staff as well as all members of the Department.

C. The Chief of Police or his/her designee is responsible for forms management and will:

1. Maintain a current list of departmental forms.

2. Ensure that sufficient supplies of approved departmental forms are procured and maintained to meet departmental demands.

3. Review form utilization when concerns are expressed about records maintenance or data processing requirements; and report findings and recommendations to the Captain.

D. Departmental forms will be accessible to employees on the Power DMS site, as well as other websites such as Virginia State Police and Virginia Courts just to name a few.

1. Employees are responsible for their own supply of forms for their tour of duty.

2. Supervisors are responsible for ensuring that sufficient supplies of forms are available for their shift and for oncoming shifts.

3. Employees shall notify the Administrative Assistant when they find that a supply of forms needs to be replenished.

9.1.5 ACCREDITATION MONITORING SYSTEM

A. The accreditation manager will monitor all reports required for compliance with accreditation standards through the Power DMS system and will send a notice to the responsible personnel. Concerns or problems uncovered during the accreditation manager's review of these reports will be brought to the direct attention of the Chief of Police for corrective action.

9.1.6 CRIMINAL JUSTICE AND SOCIAL SERVICE DIVERSION PROGRAMS

A. Departmental personnel are encouraged to participate as board members or advisors when requested by any criminal justice or social service diversion program. If such a request is made, and the departmental personnel would like to participate, a memorandum should be forwarded through the chain of command to the Chief of Police for approval. The EPD will provide whatever assistance it can to criminal justice or social service diversion programs when such requests are made. It is each

officer's responsibility to be familiar with and utilize Criminal Justice and Social Service diversion programs.

9.1.7 LIAISON WITH CRIMINAL JUSTICE AGENCIES

A. The EPD will not be capable of effective law enforcement services to the community without the assistance and cooperation of all criminal justice agencies. Assistance and cooperation can only be achieved by a positive exchange of information with the courts, prosecutor, probation and parole, and correctional agencies. Departmental personnel are encouraged in the course of their duties to establish contact with the various criminal justice agencies when such contact will aid either the criminal justice agency or the Department.

B. Court Liaison

1. The Operations Division Commander will provide the clerk of the court the schedule of court days for the Department. Scheduling conflicts are inevitable but they are manageable when handled properly. Officers shall notify their supervisor and the prosecuting attorney when conflicts develop. The Commonwealth's Attorney's Office will seek a continuance of the case when appropriate. Unresolved conflicts shall be brought to the attention to the officer's supervisor. When an officer is unable to attend a trial due to illness, the officer shall notify the prosecutor's office and the clerk of court promptly, so that a continuance may be granted and witnesses notified to cancel their appearance. In the event the officer is unable to make the required notifications, the officer shall notify the on-duty supervisor. The supervisor shall then notify the Commonwealth Attorney' office and the clerk of court. Officers are urged to communicate with court personnel and the prosecutor's office so that when conflicts develop, action is taken promptly and the criminal justice system operates more efficiently.

2. The On-Duty daylight supervisor will ensure that all documents that need to be taken to any of the courts or Commonwealth Attorney's Office shall be taken on a daily basis. Problems or conflicts shall be brought to the attention of the Operations Division Commander.

C. Prosecutors Liaison

1. Officers shall meet with the appropriate prosecutor prior to trial on every contested case.

2. Officers shall coordinate their appointments in advance, be on time, have subjects for discussion planned in advance, and keep conversations brief.

3. During any police investigation, during prior planning for arrest, or pretrial stages, any questions of law or criminal procedure shall be addressed to the Commonwealth's Attorney.

4. Criminal cases referred to the Commonwealth's Attorney resulting in a decision not to prosecute, or are dismissed due to departmental mishandling, will be reviewed by the officer's supervisor and division commander. Corrective action will be taken in an attempt to prevent similar occurrences.

D. Probation/Parole Liaison

1. The Major is responsible for all probation and parole activities. The Probation and Parole District 38 Office will periodically provide information documents to the Department indicating people who are to be released into the community. These documents shall be released at roll call and posted on information boards. Questions or problems concerning probation or parole shall be brought to the attention of the Captain.

E. Correctional Agency Liaison – The Chief of Police will maintain a liaison with the Superintendent of the Southside Regional Jail. As well as Juvenile Probation with the Sixth District Court Services Unit.

9.1.8 LIAISON WITH LAW ENFORCEMENT AGENCIES

A. The Chief of Police and Major shall be responsible for maintaining liaison with other law enforcement agencies pursuant to their organizational responsibilities. The EPD will assist any law enforcement agency with any lawful request that does not conflict with departmental policy and procedures.

9.1.9 LIAISON WITH GREENSVILLE FIRE AND RESCUE

A. The EPD will provide support at fire scenes and during the investigation of arsons when requested by Greensville Volunteer Fire Department. The Chief of Police is responsible for liaison with the Fire Department. The Chief of Police will meet periodically with the Fire Chief to discuss issues concerning the police and fire department. Questions or problems in this area shall be brought to the attention of the Chief of Police.

B. The EPD will provide support to the Greensville County Volunteer Rescue Squad when needed. The Chief of Police is responsible for liaison with the Rescue Squad. The Chief of Police will meet periodically with the leadership of the Rescue Squad.

9.1.10 PUBLIC AND SOCIAL SERVICES AGENCIES

A. The Police Department will maintain a current guide of public and social services agencies in the City of Emporia and Greensville County. The guide will be kept in the Communications Center and will be available

to dispatchers and officers. Personnel shall familiarize themselves with these agencies and utilize their services with appropriate referrals.

9.2 STRATEGIC ACTION PLAN

9.2.1 STRATEGIC ACTION PLAN/GOALS AND OBJECTIVES

A. The Chief of Police, along with the Major, Captains, Lieutenants, Sergeants, Communications Supervisor and Senior Animal Control Officer will prepare an annual strategic action plan that include the department's goals and objectives.

B. The development of goals and objectives will coincide with the Department's organizational structure outline in General Order, 7.1.*1 Organizational Structure.*

C. Lieutenants, Sergeants, Communications Supervisor and Senior Animal Control Officer will solicit suggestions from their respective personnel to ensure that applicable and specific goal and objectives are established.

D. Once the goals and objectives are finalized; the mission and values statement, along with the department motto and annual goals and objectives will be distributed to all members of the Department.

E. Throughout the year the Command Staff will ensure that the department is working towards the successful attainment of the goals and objectives.

9.2.2 ATTAINMENT OF GOALS AND OBJECTIVES WITHIN THE STRATEGIC ACTION PLAN

A. Annually, the Chief of Police will submit an evaluation stating the progress made toward the attainment of the respective goals and objectives.

10.1 PLANNING AND RESEARCH

10.1.1 PLANNING AND RESEARCH FUNCTION

A. The Chief of Police is responsible for the planning and research function, an essential component to effective agency management that includes careful research of operational alternatives and the planning of future programs.

B. All personnel of the EPD are encouraged to actively participate in the planning and research activities of the Department. The Command Staff welcomes ideas and suggestions offering alternative procedures or solutions to departmental concerns and/or problems.

C. The Chief of Police, in conjunction with the Major, Captains, Lieutenants, Sergeants, Communications Supervisor and Senior Animal Control Officer shall be responsible for the annual updating of Department goals and objectives for each division.

D. Specific planning and research responsibilities are as follows:

1. Budget Development – Chief of Police

2. Forms Control – Chief of Police

3. Grants Management – Major

4. Strategic Operational Planning –Chief of Police

5. Traffic Analysis – Special Operations Lieutenant

6. Information Crime Reporting – Administrative Services Manager

7. Uniform Crime Reporting – Administrative Services Manager

8. Crime Analysis – A crime analysis report will be completed By the Administrative Services Manager and will include at a minimum:

    a. frequency, by type, of crime;

    b. geographic factors;

    c. patterns and/or trends;

    d. temporal factors;

    e. victim and target descriptors;

    f. suspect descriptors;

g. suspect vehicle descriptors;

h. modus operandi factors;

i. physical evidence information; and

j. problem oriented or community policing strategies.

k. The CAD/Records Management System, along with Incident Reports and Supplements, are the primary source documents for the crime analysis function. Upon completion of the analysis it will be disseminated to employees of the department.

9. Contingency Planning – Major

10. Equipment Resource Analysis – Major

11. Personnel Allocation – Chief of Police.

12. Systems Analysis – Chief of Police

13. Written Directive System Development and Maintenance – Accreditation Manager

14. Accreditation – Accreditation Manager

10.1.2 INFORMATION RESOURCES/SUBMITTING SUGGESTIONS

A. All personnel are provided access to necessary information resources, through the chain of command, so they may be able to effectively participate in the planning and research activities of the Department.

B. All personnel are invited to submit ideas and suggestions to the Chief of Police through the chain of command.

10.1.3 DISSEMINATION OF STUDIES

A. Staff and analytical reports will be shared among members of the command staff. It is the responsibility of all supervisors to disseminate relevant information to the affected personnel who are encouraged to make suggestions or comments regarding these studies.

10.1.4 SUCCESSION PLANNING

A. Policy- It is the policy of the Emporia Police Department to ensure

that employees are prepared to move to the next level of authority and responsibility within the command structure.

B. Purpose-The purpose of this general order is to enable the Emporia Police Department to identify and prepare the right people for the right positions at times when they are needed, to reinforce competent performance, ensuring that EEO is followed, to ensure continuation of specifically identified management, leadership and technical competencies, and to manage employee advancement

C. Procedures

1. Definition of Succession Planning:

Succession Planning is the process of reviewing the agency for leadership talent, identifying possible successors for first line supervision, mid-level managers, command staff and executive level and then providing those individuals with the training, mentoring and support they need to prepare themselves for critical roles within the agency when vacancies occur.

2. Importance of Succession Planning:

a. In the ever-changing world of policing, change often occurs unexpectedly. With this type of change it is important for police departments to:

(1) Recruiting People who are a good fit for the agency;

(2) Giving those people the proper training the need for career development;

(3) Identifying and developing leaders at all levels of the agency;

(4) Mentoring those identified leaders to Succeed

3. Identification of Internal Talent:

a. It is the responsibility of the Chief of Police to ensure that the right people are in the right positions for the agency to be successful. Every employee has his/her particular skills, abilities and experiences that make them unique. The Chief of Police will assess employees and determine who has the best

potential to become the agency's future leaders.

b. The Chief of Police will look for forward thinking employees against those who are reluctant to accept and implement change.

c. The Chief of Police will review personnel folders and IA Pro to assess their evaluations, training records, awards and accomplishments and disciplinary records.

d. The Chief of Police will utilize informal observation of employees to determine if employees are future leaders within the police department.

4. Training of Identified Talent

a. The Emporia Police Department is committed to ensuring that all employees receive training that is commensurate with current and future assignments.

b. Once an employee receives a specialized assignment, the training officer will ensure that they receive training that is directed towards that employee's career development path.

c. Once an employee is promoted to a position of higher authority and responsibility, the Emporia Police will begin a leadership training path that will consist of the following types of training:

(1) First Line Supervision provide by the Crater Criminal Justice Training Academy;

(2) First Line Supervisors Training provided by the Virginia Associations of Chiefs of Police;

(3) FBINAA/VSP First Line Supervisors School;

(4) Institute for Leadership in Changing Times sponsored by the Virginia Associations of Chiefs of Police;

(5) Professional Executives Leadership School sponsored by the Virginia Associations of Chiefs of Police;

(6) Federal Bureau of Investigation National Academy, Southern Police Institute, PERF's Senior Management Institute for Police or any other senior level leadership training provided anywhere in the United States.

d. Cross-training within the Police Department is key to building teamwork and camaraderie to expanding employee's knowledge, skills and abilities and to giving employee's insight and understanding of how other employees see their roles and responsibilities.

(1) One benefit to cross-training is that once it is completed it allows command staff the flexibility to quickly fill both expected and unexpected vacancies within specialized sections and supervisory position

5. Mentorship of Identified Talent

a. Once the Chief of Police has identified talented employees within the Police Department and they have received quality training it is important that employees are properly mentored.

b. Mentors will be employees who represent the values of the Police Department and are considered role models for newer employees.

c. Mentoring will occur while employees are in the Police Academy, Field Training and the remainder of the employee's probationary period.

d. Mentorship will continue once an employee has defined a career path; such as specialized or supervisory positions.

e. The Chief of Police will encourage employees who desire to achieve a mid-level or command staff position to join a civic organization, which will give employees a better understanding of the community that they serve; as well as representing the police department on various boards and commission within

the community, as well as professional organizations such as Virginia Association of Chiefs of Police, International Association of Chiefs of Police or The National Organization of Black Law Enforcement Executives.

f. The Chief of Police will encourage those command level employees to attend city council meeting to allow them to see the bigger political picture as it relates to the police department.

g. The Chief of Police will empower command staff and first line supervisors to make key decisions in the police department without fear of making a wrong decision.

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g. The Chief of Police will empower command staff and first line supervisors to make key decisions in the police department without fear of making a wrong decision.

11.1 ALLOCATION AND DISTRIBUTION OF PERSONNEL

11.1.1 POSITION MANAGEMENT SYSTEM

A. The Department's position management system consists of the periodic revision of the personnel roster. The personnel roster serves to identify the following:

1. The number and type of each position authorized in the budget.

2. The location of each authorized position within the organizational structure.

3. Position status information, whether filled or vacant, for each authorized position in the Department.

B. A current personnel roster listing all sworn and civilian personnel by name and rank or job title within each organizational component shall be maintained and posted by the Chief of Police.

11.2 SPECIALIZED ASSIGNMENTS

11.2.1 ANNUAL REVIEW OF SPECIALIZED ASSIGNMENTS

A. As a part of the annual budget review process, the Chief of Police will review special assignments to determine if the assignments should continue.

B. The review will include an evaluation of:

1. the initial problem or condition that required the implementation of the assignment,

2. a listing of all specialized assignments,

3. a statement of purpose for each assignment,

4. and cost-benefit analysis of the assignment.

C. Results of the review by the Chief of Police will determine recommendations for continuation, discontinuation or modification of the specialized assignments

11.2.2 SPECIAL ASSIGNMENT OPENINGS-SELECTION

A. The Chief of Police will announce a vacancy or opening for all special assignment positions by memorandum. Personnel shall submit a memorandum of interest to the Chief of Police documenting their level of special skills, education, and training.

B. Criteria utilized to select personnel for specialized assignments will include:

1. education, training, and special skills;

2. experience in the area of the assignment;

3. level of performance as determined by a review of past performance evaluations;

4. discipline records;

5. the employee's involvement in community events and involvement;

6. length of service when all other qualifications are equal.

C. The selection process will consist of a job-related interview that will be conducted and supervised by the Major, either the Support Division Commander or Operations Division Commander, whichever opening affects their division and the lieutenant whose section will be affected. Based upon the results of the interview panel, the Chief of Police will make the final determination, with input from the interview panel.

D. An integral part of the Career Development Program authorizes officers to serve in specialized assignments on an as needed basis. The specialized assignment is intended to develop specific skills and increase officer knowledge.

E. Specialized assignments will be made based on personnel availability and include:

1. Criminal Investigations/Community Policing Detectives;

2. Task Force Narcotics Detective;

3. Traffic Officer;

4. K-9 Officer.

F. Supervisory Assignments to specialized sections will be made by appointment from the Chief of Police, who will receive input from the Major and both Division Commanders.

G. The Emporia Police Department does not have any rotating specialized positions. Officers assigned to a specialized position will serve in that capacity contingent upon their performance and may be transferred into a patrol position for poor work performance or for disciplinary reasons.

11.3 CIVILIANS

11.3.1 CIVILIAN POSITIONS

A. When possible, positions not requiring specific knowledge, skills, and abilities of a police officer will be specified as civilian positions and staffed accordingly. The following positions within the Department are specified as civilian:

1. Administrative Assistant;
2. Records Technician;
3. Administrative Services Manager;
4. Communications Supervisor;
5. Communications Officer;
6. Senior Animal Control Officer;
7. Animal Shelter Attendant.

B. Police Officers may be temporarily assigned to these positions in the event of an urgent departmental need, or as a light duty assignment.

11.3.2 CIVILIAN VOLUNTEER PROGRAM

A. Purpose

The purpose of this written directive is to establish guidelines that will enhance the operation of the Emporia Police Department by enlisting the services of citizen volunteers. A volunteer is someone who performs service for the Department without promise, expectation, or receipt of compensation for services rendered.

B. Policy

It shall be the policy of the Emporia Police Department to enlist the services of citizen volunteers in areas where their services will be beneficial.

C. Procedure

1. Civilian volunteers will not be commissioned as law enforcement officers, and will not be granted any law enforcement authority; but may be assigned to law enforcement- related community service functions.

2. Recruitment of volunteers can be accomplished through announcements at civic organizations, the Department's Facebook and Website or through the citizen's police academy.

3. Volunteers will not be covered by, nor entitled to any city injury or death benefits provided to full time employees.

4. Volunteers will not receive city payment, benefits, or other compensation for hours worked.

5. The volunteer program is not designed to replace paid staff, but is aimed at a supplementary and complementary role.

6. Volunteers may function in support of administrative/clerical duties and community relations activities.

7. All requests for civilian volunteers must be channeled and approved by the Chief of Police.

8. The department will issue all civilian volunteers an id, which will have their photograph, name and state that they are a civilian volunteer. Civilian volunteers will have their id accessible, when volunteering for the department.

9. Any police equipment issued to a civilian volunteer will be returned to the Department upon termination of service.

D. Selection

1. Prospective volunteer applicants will complete the volunteer application packet, which includes:

a. volunteer application;
b. background questionnaire;

c. confidentiality agreement;

d. release and waiver of liability.

2. The Support Division Commander will conduct an interview with the civilian volunteer applicant.

3. A documented background check shall be completed on each volunteer applicant and shall include but not necessarily be limited to the following:

a. DMV driving history;

b. confidential criminal history;

c. wanted check;

d. CCRE fingerprint verification;

e. employment reference check;

f. personal reference check.

4. Selected volunteers shall receive a confirmation letter from the Chief of Police prior to the start of their service.

5. Disqualified applicants shall receive a letter of appreciation that declines their service.

E. Volunteers may be assigned the following duties, but not limited to:

1. Receptionist/Data Processing;

2. Secretarial/Clerical Duties;

3. Community Relations Support Activities;

4. Translator/Interpreter;

5. Wellness;

6. Animal Shelter.

F. Uniforms

1. Civilian Volunteers will be supplied with a polo shirt, stating Police Volunteer.

G. Volunteer Training:

1. The Major will be responsible for coordinating all training activities regarding volunteers.

2. Training of Volunteers will be conducted in three phases:

a. Orientation:

(1) Familiarizing the volunteer with the Department, its mission and philosophy, functions, policies and organizational structure.

(2) This orientation should include a tour of the Police Headquarters, attendance at a roll call.

b. Pre-service training to be conducted by the section supervisor where the civilian volunteer will serve at.

c. In-Service Training that will assist the civilian volunteer in completing their duties and responsibilities with the department.

d. If the civilian volunteer has any prior experience in the function that they will be volunteering in they will not have to under-go any form of training.

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d. release and waiver of liability.

2. The Support Division Commander will conduct an interview with the civilian volunteer applicant.

3. A documented background check shall be completed on each volunteer applicant and shall include but not necessarily be limited to the following:

a. DMV driving history;

b. confidential criminal history;

c. wanted check;

d. CCRE fingerprint verification;

e. employment reference check;

f. personal reference check.

4. Selected volunteers shall receive a confirmation letter from the Chief of Police prior to the start of their service.

5. Disqualified applicants shall receive a letter of appreciation that declines their service.

E. Volunteers may be assigned the following duties, but not limited to:

1. Receptionist/Data Processing;

2. Secretarial/Clerical Duties;

3. Community Relations Support Activities;

4. Translator/Interpreter;

5. Wellness;

6. Animal Shelter.

F. Uniforms

1. Civilian Volunteers will be supplied with a polo shirt, stating Police Volunteer.

G. Volunteer Training:

1. The Major will be responsible for coordinating all training activities regarding volunteers.

2. Training of Volunteers will be conducted in three phases:

a. Orientation:

(1) Familiarizing the volunteer with the Department, its mission and philosophy, functions, policies and organizational structure.

(2) This orientation should include a tour of the Police Headquarters, attendance at a roll call.

b. Pre-service training to be conducted by the section supervisor where the civilian volunteer will serve at.

c. In-Service Training that will assist the civilian volunteer in completing their duties and responsibilities with the department.

d. If the civilian volunteer has any prior experience in the function that they will be volunteering in they will not have to under-go any form of training.

11.4 CIVILIAN CHAPLAIN PROGRAM

A. Purpose:

1. The Emporia Police Department chaplains are skilled and committed to ministering to all people, regardless of their religious beliefs and shall respect the beliefs of those whom they serve.

2. In recognition of the cultural and religious diversity within the City of Emporia, a volunteer chaplain program has been established to administer spiritual guidance and support to the Emporia Police Department personnel and their families. Volunteer chaplains may also serve the citizens of the City of Emporia by assisting police personnel in stressful situation involving trauma, serious injury or death. The police chaplain is duly ordained and appointed as an approved and experienced member of the clergy.

3. Police department personnel are often confronted with incidents and situations that demoralize and create emotional, mental and spiritual burdens. These burdens affect the police employees who dealt with the incidents, their families, and the citizens involved. As a result, police employees often need to express their frustration and problems to someone who fully understands the circumstances surrounding their duties, without fear of repercussions.

B. Policy:

1. Emporia Police Department chaplains, by virtue of the chaplaincy, are not sworn law enforcement officers and have no law enforcement power. A police chaplain is considered a volunteer member of the department. The chaplain functions as a non-sworn volunteer assistant to the Chief of Police, or his designee and comes under the authority of the Chief of Police. Police chaplains are in a unique position to listen to a police employee's problems with empathy and offer advice, counseling and assistance when appropriate. When functioning in the performance of counseling duties, the communications between the chaplain and the counseled are privileged and the chaplain may not be compelled to disclose the issues discussed.

    a. The goal of the volunteer chaplain program is to provide 24-hour response and assistance to the Emporia Police Department and its employees. A police chaplain may be call to respond whenever there is an incident-involving trauma to a police employee or others in order to bring comfort and consolation to the emotionally distraught.

b. The services of a police chaplain may be requested by any Police Department employee for any incident where such services might be deemed helpful. Chaplains are also encouraged to routinely participate in ride-alongs, attend staff meetings and briefings and participate in department training as possible. Interaction with department members at special and social events and functions is encouraged.

c. The use of the term chaplain or police chaplain refers to members of the Emporia Police Department volunteer chaplain program.

C. Procedures:

1. Selection

a. The volunteer chaplain program is established and directed by the Chief of Police or his designee. Upon request of any employee of the Police Department, a chaplain may be contacted to assist with the needs of that employee or their family:

(1) Chaplains will not be covered by nor entitled to any injury or death benefits provided to full-time employees.

(2) Chaplains will not receive payment, benefits or other compensation for hours worked.

b. The Chief of Police will work with the leadership of the Greensville-Emporia Ministerial Association to select chaplains that will serve for the Emporia Police Department. Additionally, in order to provide meaningful support and assistance, Chaplains will:

(1) Maintain high moral standards;

(2) Be skilled in personal ministry and pastoral care, and;

(3) Demonstrate a commitment to ministry with department employees.

c. Any person serving in the capacity of Department Chaplain must:

(1) Be an ordained minister in good standing within a religious organization;

(2) Sign the department's Chaplain Participation Agreement;

(3) Upon appointment, join, at the department's expense, the International Conference of Police Chaplains.

d. Chaplains will be prohibited from engaging in any unsolicited effort to convert or modify any employee's religious convictions or beliefs.

2. Appointment

a. Appointments to the position of Department Chaplain will be made by the Chief of Police.

b. Chaplains will serve at the pleasure of the Chief of Police.

c. Chaplains will report directly to the Chief of Police.

d. The Chief of Police will be responsible for on-going evaluation of the chaplain program.

e. Upon appointment, Chaplains will be:

(1) Given access to applicable Emporia Police Department written directives;

(2) Be expected to familiarize themselves with policies, procedures and regulations applicable to their department role;

(3) Be issued and carry an Emporia Police Department identification card, to be carried on their person while engaged in departmental functions.

D. Chaplains should be familiar with community agencies and resources so that appropriate referrals can be made to assist those in need.

E. Duties of the Department Chaplain:

1. Services offered by Emporia Police Department Chaplains may include, but are not limited to:

a. Assisting department employees in making notification to families of officers or citizens who have received serious injuries, or death.

b. Visiting or otherwise maintaining contact with sick or injured police personnel or their families.

c. Providing counseling services and pastoral care for law enforcement officers, their families and other department personnel if requested.

d. Providing sources of emotional and spiritual encouragement, which may include devotionals, classes on marriage, parenting, finances, etc.

e. Assisting department employee as a referral source in handling domestic situation or family disputes.

f. Assisting department employees in the development and implementation of programs to address problems or needs in the community.

g. Conducting and/or participating in religious services for deceased department employees when requested by the family.

h. Attending funerals of deceased department employees.

i. Serving as a mediator between citizens and the department or its various components and sections.

j. Attending and providing invocations/benedictions at department functions such as award ceremonies and graduations.

k. Represent the Police Department before official gatherings.

l. Assisting individuals involved in critical incidents.

m. Furnishing expert responses to religious questions.

n. Being on-call during any major disturbance, event or demonstration in the city requiring the presence of a large number of police officers.

o. Providing a liaison for the city with other religious leaders in the community.

p. Making presentations for the Citizen's Police Academy, roll call, new employees or other requested events.

q. Providing other service as requested such as: baptisms, weddings and funerals.

2. For communication purposes:

    a. Chaplains may be issued a police radio.

    b. Chaplain contact numbers will be maintained by the department and will be available to department employees.

    c. A Chaplain on-call roster will be maintained in the Communications Center.

3. Chaplains will not have police powers, duties or responsibilities, and will not take any form of police action unless specifically directed by a police officer pursuant to Virginia State Code 18.2-463.

4. Chaplains will comply with all orders and instructions given by the officer in charge at all times.

F. Confidentiality of Information

1. Chaplains will not disseminate any restricted law enforcement information that comes to their attention in performance of their assigned functions to any person other than sworn employees of the Emporia Police Department.

2. When functioning in the performance of counseling duties, the communications between a chaplain and the counseled employee are privileged and a chaplain may not be compelled to disclose what has been heard.

3. Confidentiality of chaplain services to Police Department personnel is a matter of extreme sensitivity and importance to the chaplain program and the administration of the department.

4. Virginia law does not prohibit testimony by a chaplain with knowledge of relevant admissible facts. For example, a chaplain may testify regarding a public incident they have witnessed while acting in the role of chaplain.

5. It is the policy of the Emporia Police Department that all department personnel confiding in a police chaplain will be covered by the confidentiality privilege.

    a. The content of any confidential communication may only be released with the consent of the involved person.

b. Exemptions to this confidential communication policy will include the following:

(1) Communications concerning any type of criminal act. Chaplains will report such information immediately to a member of the Emporia Police Department Command Staff of Captain or higher rank.

(2) Communications that indicate the potential of harm to oneself or another person. Chaplains will report such information immediately to a member of the Emporia Police Department Command Staff of Captain or higher rank.

(3) Communications made in the presence of a third party, whether or not the third party is a police officer.

G. Ride-Along Program Participation

1. Chaplains may participate in the department's ride-along program whenever they elect to do so.

2. Chaplains will coordinate the scheduling of the ride-alongs with the section supervisor. Chaplain ride-along request will be accommodated whenever possible.

3. Chaplains will comply with established departmental ride-along program procedures and will follow the directions of the officers to whom they are assigned.

a. Ride-alongs may begin and end at any time mutually convenient to the Chaplain and the involved officer.

b. Chaplains will carry their department issued identification card while participating in ride-alongs.

4. Chaplains will direct any citizen question related to an incident handling or law enforcement issues to an officer or detective.

H. Training

1. The department may require the Chaplain to participate in a Virginia Department of Criminal Justice Services approved general instructor class.

2. The department may request Chaplains to lead designated training sessions.

I. Uniforms

1. The Police Department will issue the Chaplain with a polo shirt with “Chaplain” on it and a pair of khaki tactical pants.

2. Chaplains will have their identification with them while they are at the Police Department or engaged in departmental functions.

J. Termination of Service

1. A Chaplain’s service may be terminated at any time the Chief of Police believes it is in the best interest of the Police Department to do so.

2. Any complaint regarding a Chaplain’s performance will be brought to the attention of the Chief of Police.

3. All equipment or property issued to a Chaplain remains the property of the Emporia Police Department and will be returned to the department upon request or upon termination of service as a Chaplain.

12.1 FISCAL MANAGEMENT AND AGENCY-OWNED PROPERTY

12.1.1 FISCAL MANAGEMENT RESPONSIBILITY

A. Chief of Police - The Chief of Police is responsible for the overall fiscal management of the Department. He/she makes budget recommendations to the City manager and exercises final approval of purchase requests.

1. Administrative Assistant – The Administrative Assistant works in coordination with the Finance Department. The Administrative Assistant reviews all purchasing requests and account activities, and advises the Chief of Police of the status of the budget.

12.2 BUDGET

12.2.1 BUDGET PREPARATION

A. All members of the Department are invited to participate in the development of the Department's budget. The Chief of Police, Major, Support and Operations Division Commanders and supervisors will assist in the development of the budget by reviewing existing procedures, proposing changes and additions to expenditures, along with projected costs and an appropriate justification. The Chief of Police through the chain of command establishes deadlines for submission of justifications.

B. The Chief of Police, Major, and Division Commanders and the Administrative Assistant will be responsible for the preparation of the annual budget, supervision of internal expenditures and the maintenance of liaison with the Finance Department.

12.2.2 WRITTEN RECOMMENDATIONS

A. Justifications outlined in General Order, 12.2.1 must be submitted in writing and will be based on the following:

1. Department's Mission and Values Statement,
2. Annual goals and objectives,
3. Operational needs,
4. Capital improvement needs,
5. Future personnel needs, and
6. Assessments of currently assigned positions to ensure the positions allocated to departmental functions are appropriate.

12.3 PURCHASING

12.3.1 SMALL PURCHASES

A. Policy

1. The City of Emporia has established a uniform small purchase program. The program development is required under Section 2-293 of the Code of the City of Emporia.

B. Purpose

1. The intent of the small purchase program is to obtain the necessary equipment, supplies, and services for the City of Emporia in the most cost-efficient and effective manner, while providing for the equitable treatment of all vendors.

2. The program shall be established and administered so as to avoid any and all elements of favoritism, preference, and discrimination. Purchasing decisions shall be based on factual information concerning cost per item, conformance to requirements and specifications, and availability.

C. Purchasing and Procurement Procedures

1. Subject to compliance with other terms and conditions of this policy, the following procedures shall govern City procurement for single or term contracts for goods and services other than professional services if the aggregate or the sum of all phases is not expected to exceed $100,000, and single or term contracts for professional services if the aggregate or the sum of all phases is not expected to exceed $50,000:

   a. Purchases of $1,000 or less: This level of purchase shall be accomplished through the use of one quotation. Users are encouraged to compare pricing and utilize previous research when purchasing at this level.

   b. Purchases between $1,000.01 and $10,000: This level of purchase shall be made on the open market on the basis of terms most advantageous to the City. It shall be accomplished through the use of at least two attempted telephone, written, catalog or electronic quotations. The using department shall obtain these quotations and attach them to the purchase order form for review.

   c. Purchases between $10,000.01 and $30,000: This level of purchase shall be made on the open market on the basis of terms most advantageous to the City. It shall be accomplished through the use of at least three attempted written or electronic quotations. The using department shall

obtain these quotations and attach them to the purchase order form for review.

d. Purchases between $30,000.01 and $100,000: This level of purchase shall be made on the open market on the basis of terms most advantageous to the City. It shall be accomplished through the use of at least four attempted written or electronic quotations. The using department shall obtain these quotations and attach them to the purchase order form for review.

2. The Chief of Police, Major and Administrative Assistant are the only positions within the Police Department who may make small purchases for the Police Department. In addition, the previous three positions mentioned are issued city credit cards and can make small item purchases under $1,000.00 on their city issued credit card.

D. Vendors

1. It is desirable that the City of Emporia vendors participate in the quotation process for goods and services and secure as many City contracts as possible without compromising the goal of securing goods and services at a fair and competitive cost. To that end, the following policy shall be followed:

a. When soliciting price quotations, the Chief of Police is his/her designee is encouraged to solicit price quotations from vendors located in the City of Emporia.

b. The price quotation of a vendor located in the City of Emporia may be accepted even when such quotation is not the lowest quotation received. Reasons for accepting the quotation of an Emporia vendor which is not the low quote include the following: availability for service after procurement; nominal difference between the City vendor's quote and the low quote. When the City accepts the quotation of an Emporia vendor which is not the low quote, the specific reason for not accepting the low quote shall be set forth in a written document to be attached to the purchase order.

E. Exceptions for Minimum Number of Solicitations

1. If the City Manager or designee determines that there are fewer than the required number of qualified vendors for the goods or services being procured, or that for good reason it is impracticable to solicit the required number of quotations, the City Manager or designee shall make a written notation of such determination and

the reason. Examples of why an ostensibly qualified vendor might not be sent a solicitation for quote could be the distance of the vendor from the City, or the vendor's inability to afford timely service after a good or service is procured.

F. Retention of Records

1. The City Manager or designee shall maintain a written record of the means of his or her compliance with this Small Purchase Policy, or the basis for determination that such compliance was not required. Such written documentation shall be retained by the City Manager or designee for a period of one (1) year from the date of the procurement. After the first anniversary of the date of any such procurement, the City Manager or designee may destroy or otherwise dispose of such documentation.

G. Acceptance of Quote Other Than Low Price Quote

1. If goods or services are procured from any vendor not submitting the low price quotation, a written statement of the basis for such award shall be made a part of the City's records and retained for a period of one (1) year from the date of the procurement.

H. State Contract Utilization

1. The State of Virginia Department of General Services/Division of Purchases and Supply, maintains a comprehensive listing of items for which the State has a contract price. Municipalities may purchase items through these contracts, some of which are mandatory, many times at considerable savings, subject to any qualifications, restrictions, and/or minimums established by the vendor and/or State.

2. It is strongly recommended that all personnel participating in the purchasing process become familiar with the items under State contract.

3. While the State contract price will usually represent the best price for a given item, there have been occasions wherein the City has been able to obtain even lower quotations. In a given situation, it may be deemed most effective to obtain quotations to compare with the State contract prices.

I. Departmental Authority

1. The Chief of Police and the Administrative Assistant are responsible for the purchasing process for the Police Department.

J. Mitigation of Rules

1. Only the City Manager or his designee shall be empowered to waive the rules and guidelines set forth in this policy. The City Manager or designee shall base such decisions on information provided by the requesting department, which shall include cost and/or time savings, emergency requirements, sole source, or other mitigating circumstances.

    a. The City of Emporia follows the Commonwealth of Virginia emergency purchasing procedures under City of Emporia Ordinance 2-292 and Virginia State Code 2.2-4403 F.

    b. in the event of an emergency, the Chief of Police will receive authorization from the City Manager to enter into a rental agreement with a vendor to provide the necessary equipment to successfully complete the task of the emergency event.

    c. Any request for supplemental or emergency appropriations and fund transfers will be a request from the Chief of Police to the City Manager who will receive authorization from the City Council at their next regular scheduled meeting.

K. Brand Name Specification

1. The use of brand names during the purchasing process shall be kept to a minimum. While it is acknowledged that certain standardization of equipment is necessary under certain circumstances, documentation shall be required for approval of brand name specifications.

L. Non-Discrimination Assurance

1. No purchasing decision shall be influenced by race, creed, religion, sex, political affiliation, age, or handicap.

2. The City shall act without favoritism, prejudice, or any form of discrimination.

M. Violation of Rules and Guidelines

1. Any person who knowingly and/or willfully violates the provisions of this document may be subject to immediate disciplinary action up to termination of employment.

2. Any person who repeatedly violates the terms contained herein due to ignorance or incompetence shall be removed from the purchasing process and disciplined.

12.3.2 REQUISITION OF SUPPLIES AND EQUIPMENT

A. EPD personnel must comply with City of Emporia policies and procedures regarding procurement, financial requirements established by the City manager, finance department and policies established by the Chief of Police.

B. Requests for Department supplies and equipment shall be submitted through the chain of command to the Chief of Police. The Chief of Police shall ensure departmental compliance with the prescribed purchasing procedures.

C. All employees requesting supplies or equipment must complete an EPD Property Request Form and submit it through the chain of command for approval.

D. Upon receipt of the Property Request Form, the Administrative Assistant will check with the Major to ensure that we do not have the items requested in property to issue to the employee. If we do not have the item in property surplus then the Administrative Assistant will follow the purchasing procedures stated above in General Order 12.3.1

12.4 ACCOUNTING

12.4.1 ACCOUNTING SYSTEM

A. The Chief of Police, Major, Division Commanders and the Administrative Assistant, will monitor the Department's accounting system. The Administrative Assistant will ensure that the accounting of the Police Department's Operating Budget is conducted on a weekly basis. The automated accounts, or variance reports, are maintained by the Finance Department. This automated system details all account activities, which are reviewed by the Chief of Police, Major, Division Commanders and the Administrative Assistant. This system provides a continuous, accurate status on the following:

1. Initial appropriations for each account or program.

2. Balance after each expenditure.

3. Expenditures and encumbrances.

4. The unencumbered balance.

12.4.2 CASH MANAGEMENT

A. It is the policy of the EPD to limit, to the extent possible, those instances in which agency personnel are permitted to receive, maintain, or disburse cash. The Evidence/Confidential Informant Drug Fund is the only cash fund within the Police Department, the Records Fund will only accept checks, while any cash transactions must be handled at the City Treasurer's Office.

B. Included in the management and accounting procedures for each of these funds are provisions for:

1. Maintaining a balance sheet or ledger identifying the initial balance, income received, cash disbursed, and the balance on hand.

2. Receipts or other documentation for all cash received.

3. General Order 24.1.4 (B) addresses who may authorize the different levels of the confidential informant drug fund.

4. Documentation for all cash expenditures.

5. Quarterly report of account activities.

6. The Records Fund is reconciled with the City Treasurer on a monthly basis.

C. Evidence/Confidential Informant Drug Fund – This fund is managed by the Support Division Commander. The Support Division Commander will have sole access to the Evidence/ Confidential Informant Drug Fund.

1. The Support Division Commander must approve all requests for use.

2. The ledger sheet, and subsequent reports, will include at a Minimum

a. Time, location and incident description.

b. Narrative detailing circumstances of the incident.

c. All expenditures.

d. Disposition.

e. Accounting of funds returned to the EPD.

3. The Support Division Commander will be accountable for maintenance of receipts and documentation of all events involving the use of confidential funds.

4. The Major shall perform a complete audit of the funds on a quarterly basis.

D. Records Cash Fund

1. The Administrative Services Manager will maintain a spreadsheet by documenting the:

a. Date;

b. Case Number;

c. Name;

d. Reason;

e. Check #;

f. Amount Collected;

g. Any Notes;

h. Audit/Reconciliation.

2. There will be no cash transactions conducted at the Police Department. If an individual or company needs a copy of a report and they want to pay by cash, then they will be instructed to the City Treasurer's Office to make payment and bring their receipt back to the Police Department for their copy.

3. The Administrative Services Manager or the Administrative Assistant are authorized to accept checks for transactions.

4. Checks collected by the Records Section will be forwarded to the City Treasurer's Office on a monthly basis.

5. Once the Treasurer's Office receives the checks, they will in turn provide the Police Department with a receipt.

6. There will be no balance in the Records Cash Fund at the beginning of the month.

7. The Administrative Services Manager will secure all checks that come into the Police Department until sent to the Treasurer's Office

12.4.3 INDEPENDENT AUDIT

A. The City of Emporia conducts an annual independent financial audit in compliance with state and federal guidelines. All Department funds and accounts will be open for inspection and audit to the independent auditors. Departmental personnel will offer complete cooperation and assistance to the audit team.

12.5 AGENCY-OWNED PROPERTY

12.5.1 PROPERTY ACCOUNTABILITY

A. The Administrative Assistant is responsible for inventory control of the Department's property. These responsibilities shall include:

1. Proper documentation of the accession of all capital or major items.

2. Proper documentation of the deletion of all capital or major items.

3. Proper issuance of an employee's uniform and equipment allotment.

4. Proper documentation and disposition of damaged, excess, or surplus assets.

5. Records maintenance for all departmental property, equipment and assets.

6. Conducting an annual inventory in compliance with the City of Emporia guidelines.

7. Reporting discrepancies to the Major.

12.5.2 PROPERTY REQUISITION

A. The Administrative Assistant is responsible for the requisitioning of Department supplies, equipment and services. All requests for supplies, equipment and services will be in accordance with the

City of Emporia, Code of Ordinances, and the policies and procedures established by the Finance Department.

B. The Major is responsible for the accounting, acquisition, receipt, inspection, storage and issuance of departmental property and equipment.

C. Receipt, issue, return and/or re-issuance of Department uniforms and equipment is managed and documented by the Administrative Assistant, who also maintains such records.

12.5.3 OPERATIONAL READINESS

A. The Major shall ensure that stored property and equipment is maintained in a state of operational readiness and that a satisfactory complement of expendable materials is maintained and available as needed.

12.1 FISCAL MANAGEMENT AND AGENCY-OWNED PROPERTY

12.1.1 FISCAL MANAGEMENT RESPONSIBILITY

A. Chief of Police - The Chief of Police is responsible for the overall fiscal management of the Department. He/she makes budget recommendations to the City manager and exercises final approval of purchase requests.

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12.2.1 BUDGET PREPARATION

A. All members of the Department are invited to participate in the development of the Department's budget. The Chief of Police, Major, Support and Operations Division Commanders and supervisors will assist in the development of the budget by reviewing existing procedures, proposing changes and additions to expenditures, along with projected costs and an appropriate justification. The Chief of Police through the chain of command establishes deadlines for submission of justifications.

B. The Chief of Police, Major, and Division Commanders and the Administrative Assistant will be responsible for the preparation of the annual budget, supervision of internal expenditures and the maintenance of liaison with the Finance Department.

12.2.2 WRITTEN RECOMMENDATIONS

A. Justifications outlined in General Order, 12.2.1 must be submitted in writing and will be based on the following:

1. Department's Mission and Values Statement,
2. Annual goals and objectives,
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2. The program shall be established and administered so as to avoid any and all elements of favoritism, preference, and discrimination. Purchasing decisions shall be based on factual information concerning cost per item, conformance to requirements and specifications, and availability.

C. Purchasing and Procurement Procedures

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   a. Purchases of $1,000 or less: This level of purchase shall be accomplished through the use of one quotation. Users are encouraged to compare pricing and utilize previous research when purchasing at this level.

   b. Purchases between $1,000.01 and $10,000: This level of purchase shall be made on the open market on the basis of terms most advantageous to the City. It shall be accomplished through the use of at least two attempted telephone, written, catalog or electronic quotations. The using department shall obtain these quotations and attach them to the purchase order form for review.

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D. Vendors

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b. The price quotation of a vendor located in the City of Emporia may be accepted even when such quotation is not the lowest quotation received. Reasons for accepting the quotation of an Emporia vendor which is not the low quote include the following: availability for service after procurement; nominal difference between the City vendor's quote and the low quote. When the City accepts the quotation of an Emporia vendor which is not the low quote, the specific reason for not accepting the low quote shall be set forth in a written document to be attached to the purchase order.

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designee shall make a written notation of such determination and the reason. Examples of why an ostensibly qualified vendor might not be sent a solicitation for quote could be the distance of the vendor from the City, or the vendor's inability to afford timely service after a good or service is procured.

F. Retention of Records

1. The City Manager or designee shall maintain a written record of the means of his or her compliance with this Small Purchase Policy, or the basis for determination that such compliance was not required. Such written documentation shall be retained by the City Manager or designee for a period of one (1) year from the date of the procurement. After the first anniversary of the date of any such procurement, the City Manager or designee may destroy or otherwise dispose of such documentation.

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1. If goods or services are procured from any vendor not submitting the low price quotation, a written statement of the basis for such award shall be made a part of the City's records and retained for a period of one (1) year from the date of the procurement.

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2. It is strongly recommended that all personnel participating in the purchasing process become familiar with the items under State contract.

3. While the State contract price will usually represent the best price for a given item, there have been occasions wherein the City has been able to obtain even lower quotations. In a given situation, it may be deemed most effective to obtain quotations to compare with the State contract prices.

I. Departmental Authority

1. The Chief of Police and the Administrative Assistant are responsible for the purchasing process for the Police Department.

J. Mitigation of Rules

1. Only the City Manager or his designee shall be empowered to waive the rules and guidelines set forth in this policy. The City Manager or designee shall base such decisions on information provided by the requesting department, which shall include cost and/or time savings, emergency requirements, sole source, or other mitigating circumstances.

    a. The City of Emporia follows the Commonwealth of Virginia emergency purchasing procedures under City of Emporia Ordinance 2-292 and Virginia State Code 2.2-4403 F.

    b. in the event of an emergency, the Chief of Police will receive authorization from the City Manager to enter into a rental agreement with a vendor to provide the necessary equipment to successfully complete the task of the emergency event.

    c. Any request for supplemental or emergency appropriations and fund transfers will be a request from the Chief of Police to the City Manager who will receive authorization from the City Council at their next regular scheduled meeting.

K. Brand Name Specification

1. The use of brand names during the purchasing process shall be kept to a minimum. While it is acknowledged that certain standardization of equipment is necessary under certain circumstances, documentation shall be required for approval of brand name specifications.

L. Non-Discrimination Assurance

1. No purchasing decision shall be influenced by race, creed, religion, sex, political affiliation, age, or handicap.

2. The City shall act without favoritism, prejudice, or any form of discrimination.

M. Violation of Rules and Guidelines

1. Any person who knowingly and/or willfully violates the provisions of this document may be subject to immediate disciplinary action up to termination of employment.

2. Any person who repeatedly violates the terms contained herein due to ignorance or incompetence shall be removed from the purchasing process and disciplined.

12.3.2 REQUISITION OF SUPPLIES AND EQUIPMENT

A. EPD personnel must comply with City of Emporia policies and procedures regarding procurement, financial requirements established by the City manager, finance department and policies established by the Chief of Police.

B. Requests for Department supplies and equipment shall be submitted through the chain of command to the Chief of Police. The Chief of Police shall ensure departmental compliance with the prescribed purchasing procedures.

C. All employees requesting supplies or equipment must complete an EPD Property Request Form and submit it through the chain of command for approval.

D. Upon receipt of the Property Request Form, the Administrative Assistant will check with the Major to ensure that we do not have the items requested in property to issue to the employee. If we do not have the item in property surplus then the Administrative Assistant will follow the purchasing procedures stated above in General Order 12.3.1

12.4 ACCOUNTING

12.4.1 ACCOUNTING SYSTEM

A. The Chief of Police, Major, Division Commanders and the Administrative Assistant, will monitor the Department's accounting system. The Administrative Assistant will ensure that the accounting of the Police Department's Operating Budget is conducted on a weekly basis. The automated accounts, or variance reports, are maintained by the Finance Department. This automated system details all account activities, which are reviewed by the Chief of Police, Major, Division Commanders and the Administrative Assistant. This system provides a continuous, accurate status on the following:

1. Initial appropriations for each account or program.

2. Balance after each expenditure.

3. Expenditures and encumbrances.

4. The unencumbered balance.

12.4.2 CASH MANAGEMENT

A. It is the policy of the EPD to limit, to the extent possible, those instances in which agency personnel are permitted to receive, maintain, or disburse cash. The Evidence/Confidential Informant Drug Fund is the only cash fund within the Police Department, the Records Fund will only accept checks, while any cash transactions must be handled at the City Treasurer's Office.

B. Included in the management and accounting procedures for each of these funds are provisions for:

1. Maintaining a balance sheet or ledger identifying the initial balance, income received, cash disbursed, and the balance on hand.

2. Receipts or other documentation for all cash received.

3. General Order 24.1.4 (B) addresses who may authorize the different levels of the confidential informant drug fund.

4. Documentation for all cash expenditures.

5. Quarterly report of account activities.

6. The Records Fund is reconciled with the City Treasurer on a monthly basis.

C. Evidence/Confidential Informant Drug Fund – This fund is managed by the Support Division Commander. The Support Division Commander will have sole access to the Evidence/ Confidential Informant Drug Fund.

1. The Support Division Commander must approve all requests for use.

2. The ledger sheet, and subsequent reports, will include at a Minimum

a. Time, location and incident description.

b. Narrative detailing circumstances of the incident.

c. All expenditures.

d. Disposition.

e. Accounting of funds returned to the EPD.

3. The Support Division Commander will be accountable for maintenance of receipts and documentation of all events involving the use of confidential funds.

4. The Major shall perform a complete audit of the funds on a quarterly basis.

D. Records Cash Fund

1. The Records Technician will maintain a spreadsheet by documenting the:

a. Date;

b. Case Number;

c. Name;

d. Reason;

e. Check #;

f. Amount Collected;

g. Any Notes;

h. Audit/Reconciliation.

2. There will be no cash transactions conducted at the Police Department. If an individual or company needs a copy of a report and they want to pay by cash, then they will be instructed to the City Treasurer's Office to make payment and bring their receipt back to the Police Department for their copy.

3. The Records Technician or the Administrative Assistant are authorized to accept checks for transactions.

4. Checks collected by the Records Department will be forwarded to the City Treasurer's Office on a monthly basis.

5. Once the Treasurer's Office receives the checks, they will in turn provide the Police Department with a receipt.

6. There will be no balance in the Records Cash Fund at the beginning of the month.

7. The Records Technician will secure all checks that come into the Police Department until sent to the Treasurer's Office

12.4.3 INDEPENDENT AUDIT

A. The City of Emporia conducts an annual independent financial audit in compliance with state and federal guidelines. All Department funds and accounts will be open for inspection and audit to the independent auditors. Departmental personnel will offer complete cooperation and assistance to the audit team.

12.5 AGENCY-OWNED PROPERTY

12.5.1 PROPERTY ACCOUNTABILITY

A. The Administrative Assistant is responsible for inventory control of the Department's property. These responsibilities shall include:

1. Proper documentation of the accession of all capital or major items.

2. Proper documentation of the deletion of all capital or major items.

3. Proper issuance of an employee's uniform and equipment allotment.

4. Proper documentation and disposition of damaged, excess, or surplus assets.

5. Records maintenance for all departmental property, equipment and assets.

6. Conducting an annual inventory in compliance with the City of Emporia guidelines.

7. Reporting discrepancies to the Major.

12.5.2 PROPERTY REQUISITION

A. The Administrative Assistant is responsible for the requisitioning of

Department supplies, equipment and services. All requests for supplies, equipment and services will be in accordance with the City of Emporia, Code of Ordinances, and the policies and procedures established by the Finance Department.

B. The Major is responsible for the accounting, acquisition, receipt, inspection, storage and issuance of departmental property and equipment.

C. Receipt, issue, return and/or re-issuance of Department uniforms and equipment is managed and documented by the Administrative Assistant, who also maintains such records.

12.5.3 OPERATIONAL READINESS

A. The Major shall ensure that stored property and equipment is maintained in a state of operational readiness and that a satisfactory complement of expendable materials is maintained and available as needed.

13.1 TASK ANALYSIS

13.1.1 JOB ANALYSIS

A. Job analysis is a systematic examination of the functions and objectives of each job to be performed as it relates to the knowledge, training and skills required to perform the tasks or duties of the job. Job analysis supplies the Department with the basic information needed for a variety of personnel functions.

B. The objectives of job analysis are to:

1. Serve as a basis for the determination of a position classification plan and compensation.

2. Provide a basis for establishing minimum qualification requirements for recruitment, examination, selection, appointment and promotion.

3. Assist in the establishment of training curricula.

4. Provide guidance to personnel and their supervisors concerning the duties and responsibilities of individuals.

C. A written job analysis of every position in the Department is maintained on file in the Office of the Chief of Police.

D. The City Manager's Office establishes a job description of every position within the Department. These job descriptions will contain:

1. Duties, responsibilities and tasks of each position.

2. Frequency with which each task is performed.

3. Minimum level of proficiency necessary in job related skills, knowledge, abilities and behaviors.

13.2 CLASSIFICATION

13.2.1 CLASSIFICATION PLAN

A. The Department has a written classification plan that is prepared by the City Manager's Office. The Chief of Police will inform the City Manager's Office of any changed conditions, which may affect class specifications and/or position classifications within the Department. The classification plan will be in accordance with the Code of Virginia, *Duty of City to Have Uniform Pay Plan*.

B. A copy of all employee compensation and pay classifications are maintained by the City Human Resource Department. The City's written classification plan includes:

1. The grouping of every job into classes, based upon similarities in duties, responsibilities and qualification requirements.

2. Job specifications for every position within a class.

3. Provisions for relating compensation to job classifications.

4. Provisions for reclassification.

13.2.2 CLASSIFICATION PLAN REVIEW

A. The City Manager's Office will review the classification plan annually during budget preparation. All reviews and subsequent revisions will be implemented at this time. Changes in the assignment of duties, responsibilities and qualification for positions will be made internally at any time as long as they do not conflict with the City's classification plan. Recommended or suggested revisions to the classification plan will be made to the City Council during budget review.

13.2.3 DUTIES AND RESPONSIBILITIES

A. The duties and responsibilities of each job classification within the Department will be developed in coordination with the job classification plan. The City Manager's Office maintains current job descriptions for all positions within the Department. Each employee will be issued a job description upon employment with the Department or change in job classification.

B. All job descriptions are available to all personnel through Power DMS.

C. Once every four years the Department will conduct a documented review of job descriptions of all employees to ensure that those descriptions are current.

14.1 COMPENSATION, BENEFITS, AND CONDITION OF WORK

14.1.1 SALARY PROGRAM

A. Elements of the EPD salary program are determined by:

1. Comprehensive wage and benefit surveys undertaken by the City Manager's Office.

2. Consultations between the Chief of Police and City manager during budget preparations.

3. Final approval by the City Council of wage and benefit programs.

B. The City Manager recommends to the City Council a pay plan in accordance with the annual budget review. The City Manager may recommend to the City Council an adjustment of the pay plan during the year as necessary. This may include a reclassification or a title change, in conjunction with the continual review of revisions of class specifications and comparable salary information. The pay plan shall be in accordance with the Code of Virginia; and consists of the two parts as follow:

1. A schedule of pay grades showing a minimum and maximum rate for each grade.

2. Each pay grade within the City of Emporia's Position and Classification plan has an entry level salary.

3. Within each pay grade of the Position and Classification plan is separated by steps. The increase from step to step is two and a half percent.

4. The City of Emporia's Position and Classification Plan differentiate salary levels between each grade/rank.

5. A list of all class titles showing the allocation of each class to the appropriate pay grade.

C. Overtime Pay

1. Overtime pay shall be at the rate of one and one-half times the regular rate of pay, when overtime is worked in excess of the hours specified under the Fair Labor Standards Act.

2. Any overtime and compensatory time earned will be achieved in 30 minute increments.

3. Authorized overtime will be recorded and submitted through the chain of command on a Department Timesheet.

4. Overtime is a benefit that the City of Emporia provides to its employees to provide essential services to the citizens that goes past the scheduled hours an employee is scheduled to work. For the Police Department, this benefit will occur after 40 hours in a week for non-sworn employees and after 80 hours in two weeks for sworn employees.

5. The Emporia Police Department follows the City Personnel Policy Manual Section 3-10 and this General Order.

6. Types of Overtime

    a. Selective

        (1) Officer's working selective enforcement shall be compensated at an hourly rate of time and one-half of their regular pay rate.

        (2) Officer's working selective will receive pay in lieu of compensatory time for working selective enforcement.

        (3) Selective enforcement is defined as an officer working radar patrol or traffic enforcement outside of their regular tour of duty.

        (4) Officers who are working selective enforcement and make an arrest where the suspect is taken into custody and needs to be processed and taken before a magistrate, the officer will remain on selective overtime, officers will not switch over to premium overtime.

        (5) Officers working selective overtime will switch over to premium overtime when they are needed to cover a personnel shortage on patrol, to conduct a transport of a prisoner or mental patient, or other duties determined by a supervisor.

    b. Premium

        (1) This is overtime assignments that Officers may be required to work to cover shortages on squads, late assignments such as: arrests or traffic accidents that take them over the end of their tour of duty, call backs for investigating crimes or critical incidents.

        (2) Sworn and non-sworn employees will receive overtime pay for working premium overtime.

    c. Court

        (1) There are times when officers receive subpoenas to appear as a witness for the Commonwealth, when they are either working night shift or on their days off.

(2) If Officers are working night shift and are required to be in Court, they must advise their Lieutenant or Sergeant of their court attendance, so that they do not go over the maximum 16 hours for the day.

(3) Officers attending court when off duty, will be credited with overtime for actual time spent in court.

(4) Overtime for court appearances will begin when an officer shows up at the Police Department to retrieve their evidence or case files for court. If an officer does not need evidence or case files, then their overtime will begin when court starts.

(5) Officers will receive a minimum of one (1) hour of overtime pay for court appearances.

(6) Officers will receive overtime pay in lieu of compensatory time.

(7) Officers should make every effort to determine if a scheduled court appearance is required.

(8) It is appropriate and reasonable for officers to contact the court or Commonwealth Attorney's Office, to determine if defendants have pre-paid their fines, pled guilty or requested a continuance.

7. Authorization

a. For Sworn Personnel: Overtime pay may be received for work that is done on a mandatory basis. Overtime pay is above and beyond the 80 hours worked in the pay cycle. Meal breaks are included as paid time as hours worked during the 80 hour pay cycle.

b. For Non-Sworn Personnel: Overtime pay may be received only for work that is done on a mandatory basis. Overtime pay is above and beyond the 40 hours worked in the work week. Meal breaks for Dispatchers are included as paid time during the 40 hour work week. Meal breaks for the administrative staff will not be included in their 40 hour work week.

c. Any Sworn Supervisor of the Department can approve overtime which is necessary to accomplish the goals and objectives of the Department

d. Failure to have premium overtime preauthorized may result in disciplinary action.

e. There will be occasion when an employee is off duty and is called to return to work, after departing from the workplace. Employees called back to work shall refer to City of Emporia Personnel Manual, 3-18.

An employee call back must be at the direction of a supervisor. In order for an employee to be eligible for call back, the employee must actually report to the police facility or the scene of an incident for assignment. In any event, officers or detectives that are called out will receive a minimum of one (1) hour of overtime pay.

8. Restrictions

   a. Officers may only work 16 hours in a 24-hour period.

   b. Officers may work their 12 hour shift and work 4 hours of selective overtime.

   c. Officers may work their 12 hour shift and work 4 hours of premium overtime, if they are required to come back and work the following day.

   d. If the Officer is scheduled to be off the next day then they will be able to work their 12-hour shift, and work 6 hours of premium overtime to cover a shortage of personnel.

   e. If the Officer is scheduled off, then they will be able to work 16 hours of selective overtime.

   f. Officers will be assigned their regular court dates when they are scheduled to work day work or their regularly scheduled day off.

      (1) If the Officer needs to appear in court when they are working night shift, the Squad Lieutenant should attempt to adjust the officer's schedule to accommodate the 16-hour maximum time period.

      (2) If the Lieutenant or Sergeant has sufficient personnel working, then they can adjust the officers schedule to minimize the premium overtime

   g. The Lieutenant or Sergeant should designate an officer to be prepared to work overtime if an officer on another shift calls in sick.

      (1) The designation of the officer should be rotated through the squad to include the Lieutenant. The designation of an officer will not need to happen if an officer volunteers to work the assignment.

   h. No overtime is authorized for placing or receiving telephone calls while off duty.

   i. Officers will not receive overtime compensation for attending training. Officers will be granted compensatory time for attending training which will be addressed in General Order 14.1.1 D-Compensatory Time below.

9. Exceptions

    a. During times of emergency, exigent circumstances or the activation of the All Hazard Plan, the Chief of Police will evaluate the scheduling and resource needs of the Department and schedule employees accordingly.

    b. Administration and the Investigations Section will be assigned to field operations during the extent of the event.

    c. Officer may work over the authorized 16 hours in a 24 hour period during the beginning of a critical incident.

    d. Once the scene has been stabilized, the Chief of Police will then divide the Department into two squads, who will work 12 hours on and 12 hours off.

    e. Once the incident is over the Chief of Police will return the Department back to its organizational structure.

C. Compensatory Time –

1. The City of Emporia regulates compensatory time under the authority of the City's *Personnel Manual*, Section 3-16.

2. Police Department personnel will only receive compensatory time earned when attending Department authorized training and inclement weather.

3. Such compensatory time for non-exempt employees will be earned on a time and one-half basis for those hours worked in excess of the hours specified under the Fair Labor Standards Act.

4. Compensatory Time for Training

    a. Employees who are attending training on their work days will be credited for working 12 hours.

    b. Employees who are attending training on their days off will receive 12 hours of compensatory time to be used at a later date.

    c. Employees who are attending partial training will be compensated for the actual time they were at training.

    d. Employees will be receive compensation for traveling to and from training. The calculation will be actual time traveled no greater than from the City of Emporia.

5. Exempt employees: Earn compensatory leave on an hour for hour

basis for pre-authorized work in accordance with the current administrative regulation.

6. Requests for compensatory time shall be noted on the officer's time sheet. If the Department cannot grant an employee compensatory time due to departmental constraints, the authorizing overtime authorities authorize overtime payment for employees under their command.

7. Non-exempt personnel must use their earned compensatory time within 60 days from when they earned it.

8. Exempt personnel will have 12 months to use their earned compensatory time from the time they earned it.

D. Weather Emergency Policy – Occasionally, the City Manager may close the City Offices for a period of time due to extreme weather conditions making travel and the conduct of normal business hazardous.

1. The absence of non-essential personnel working under these conditions will not be charged against their earned leave.

2. Essential Personnel engaged in providing essential services and responding to the weather emergency will receive additional compensatory time on an hour for hour basis, up to eight (8) hours.

3. The Compensatory time that is earned shall be utilized within 60 days.

4. Employees who are designated as essential personnel, who do not report to work shall be charged with the appropriate leave category or leave without pay. Below is the classification of essential and non-essential employees:

a. Essential Personnel - All sworn police officers and dispatchers are considered essential personnel.

b. Non-Essential Personnel – All other civilian police employees and animal control are considered non-essential personnel.

E. Salary Augmentation - Pay that is added to the base salary of an employee is salary augmentation. The Department has the following salary augmentation programs:

1. K-9 Allowance- The K-9 Officer will receive 14 hours of overtime for the month. This covers any maintenance and care that the K-9 Officers provides for the animal during off-duty hours. The overtime and be taken in either pay or compensatory time.

2. Holiday Pay - Personnel will be paid in accordance with the City of Emporia *Personnel Manual*, 9-2. All Police Department employees working a Holiday will receive overtime and holiday pay in lieu of compensatory time.

3. Call Backs - All call backs and overtime shall be paid in accordance with City Personnel Manual 3-18.

14.2 BENEFITS

14.2.1 LEAVE

A. All requests for leave shall be submitted on a *Leave Request/Overtime Form* and shall be submitted through the chain of command for approval.

1. Annual Leave — See City *Personnel Manual* 9-6.1
2. Paid Time Off (PTO) – See City Personnel Manual 9-7
3. Holiday Leave — See City *Personnel Manual* 9-1
4. Sick Leave — See City *Personnel Manual* 9-3.1
5. Family Medical Leave — See City *Personnel Manual* 9-5
6. Funeral Leave — See City *Personnel Manual* 9-3.1
7. Injury Leave/Workers Compensation—See City *Personnel Manual* 9-4
8. Civil Leave — See City *Personnel Manual* 9-14
9. Military Leave — See City *Personnel Manual* 9-8 and 9-9
10. Educational Leave — See City *Personnel Manual* 9-11
11. Administrative Leave – See City *Personnel Manual 9-12 and 9-13*
12. Personal Leave — See City *Personnel Manual 9-10*
13. Unauthorized Leave of Absence — See City *Personnel Manual* 9-15
14. Volunteer Fire and Rescue Leave – See City Personnel Manual 9-7

14.2.2 TEMPORARY LIGHT DUTY

Any full-time sworn or civilian employee of this Department suffering from medically certified injury, classified as Workman's Compensation and is under the care of a designated licensed health care provider and who, because of injury is temporarily unable to perform the regular assignment but is capable of performing alternative assignments, will be placed in a light duty assignment. If the Police Department does not have a light duty position available, then the employee may be re-assigned to another City department with City Manager approval. Light Duty will serve the purpose to transition the employee from an injury back into a full-duty status.

A. The following guidelines shall be followed when managing temporary light duty requests:

1. Light Duty is only available to employees who are classified under Workman's Compensation.

2. The Major shall manage those personnel approved for Light Duty.

3. This directive in no way affects the privileges of employees under provisions of the Family and Medical Leave Act, Fair Labor Standards Act, American with Disabilities Act, or other federal or state law.

4. Assignment to light duty shall not affect an employee's pay classification, pay increases, promotions, retirement benefits or other employee benefits.

5. No specific position within this Department shall be established for use as a temporary light duty assignment, nor shall any existing position be designated or utilized exclusively for personnel on temporary light duty.

6. When employees are designated in a light duty assignment their work schedule will be 8:00 am until 4:00 pm, Monday through Friday.

7. Potential assignments for those on light duty are, but not limited to:

    a. Records;

    b. Communications;

    c. Property and Evidence;

    d. Criminal Investigation Section.

8. While in a light duty capacity all employees must comply with all court issued subpoena's

B. Restrictions for light duty assignments include:

1. Officers on temporary light duty are prohibited from engaging in extra duty employment in which they may reasonably be expected to perform law enforcement functions for which they have been determined physically or mentally unable to perform on behalf of this Department and that forms the basis for their temporary light duty assignment.

2. An officer on temporary light duty will be prohibited from wearing the department uniform, carrying the service weapon, thus prohibited in employing police powers except under exigent circumstances.

3. The employee will be attired in business casual clothing while working in a light duty capacity.

4. Light duty assignments shall not be made for disciplinary purposes.

C. Requests for temporary light duty assignment shall:

1. Be submitted to the Chief of Police, through the Chain of Command and forwarded to the City's Human Resource Department.

2. Be accompanied by a statement of medical certification to support a requested reassignment.

3. Be signed either by the treating physician or other licensed health care provider.

   The certificate must include:

   a. An assessment of the nature and probable duration of the disability.

   b. Specific nature of work restrictions.

   c. A projected return to work date from the treating physician or other licensed health care provider.

14.2.3 PERSONNEL SUPPORT SERVICES

A. The City Manager's Office- The City Manager's Office assists employees with information on employee benefits and help for the employee. The office also serves as liaison between the employee and the health care and retirement systems. Employees of the Department shall refer to Section 8-4 of the City *Personnel Manual* for information on the Virginia State Retirement System. In addition, members of the Department may refer to section 8-1 of the City *Personnel Manual* for information regarding the health insurance program that the City of Emporia provides.

B. Retirement:

   1. Non-Sworn Employees:

      a. Full Retirement:

         (1) Employees are eligible for full retirement benefits, other than disability at age 65 with 5 years of service, or after attaining 30 years of service as early as age 55.

      b. Early Retirement:

         (1) Employees eligible for early retirement with reduced benefits begins at age 55 with at least 5 years of service or age 50 with 10 years of service.

         (2) Employees who receive full and early retirement benefits will receive a gift from the City of Emporia based upon their years of service with the City of Emporia.

   2. Disability Retirement Benefits:

      a. If any employee cannot perform their job duties because of an illness or injury that is likely to be permanent, they may be eligible to retire with a disability.

b. Under the provisions for VRS disability retirement, a disability may be:

1. The result of a physical illness or injury or a cognitive condition. A cognitive disability is a loss or deterioration in intellectual capacity, such as Alzheimer's disease.

2. Non-work or work-related. A work-related disability is the result of an occupational illness or injury that occurs on the job and the cause is determined to be compensable under the Virginia Worker's Compensation Act.

3. A chronic condition, such as diabetes or mental illness, which worsens to the point that you no longer can perform.

c. There are no minimum requirements for age and service under VRS disability retirement.

d. Sworn Police Officers who have served for 20 years or more and choose to retire on disability must be aware that they will not receive their LEOS Hazard duty supplement and should consult with a retirement advisor from VRS or the City of Emporia's Human Resource Specialist.

3. Sworn Police Officer Retirement:

a. Full Retirement Benefits:

(1) Sworn police officers at age 50 with 25 years of service will receive full retirement benefits through the Virginia Retirement System.

b. Reduced Retirement Benefits:

(1) Sworn police officers at age 50 with at least 5 years of service will receive reduced retirement benefits through the Virginia Retirement System.

c. Sworn law enforcement officers who retire with 20 years of hazardous duty, they will receive the law enforcement supplement which the officer will receive until their age of collection with social security.

d. Sworn police officers who retire will receive:

(1) Their service handgun for $1.00 in accordance with Virginia State Code 59.1-148.3. (A)

(a) Who retires with at least 10 years of service;

(b) Who retires at age 70;

(c) As a result of a service-incurred disability or who is receiving long-term disability payments for a service-incurred disability with no expectation of returning to employment where they incurred the disability.

(2) Their service handgun at fair market value on the date of the officer's retirement in accordance with Virginia State Code 59.1-148.3. (B)

(a) For Officers who retire with 5 years or more of service, but less than 10 years.

(b) For Officers who retire with a non-service related disability.

(3) They will receive an identification card that recognizes them as a retired officer at the rank when they left employment.

(4) They will receive a badge that states "Retired" at the rank they left employment.

(5) The Chief of Police will not approve the sale of the handgun or the issuance of the retired badge and identification card if the officer resigns or retires to avoid disciplinary action and does not leave in good standing.

4. LEOSA Qualified Retired Officer:

a. A sworn police officer who has served the City of Emporia with at least 10 years of service and retires will meet the requirements of the LEOSA Act of 2004 and its amendments.

b. The LEOSA Act of 2004 was created to all allow active/retired and officers separated from service the ability to carry concealed weapons throughout the United States.

c. The LEOSA Act defines a qualified retired law enforcement officer as an individual who:

(1) Separated from service in good standing from service with a public agency as a law enforcement officer;

(2) Prior to separation, was authorized by law to engage in or supervise the prevention, detection, investigation, or

prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest or apprehension under section 807(b) of title 10, United States Code article 7(b) of the Uniform Code of Military Justice, before such separation.

(3) Served as a law enforcement officer for an aggregate of 10 years of more; or separated from service with such agency, after completing any applicable probationary period of such service, dye to a service-connected disability, as determined by such agency.

(4) During the most recent 12-month period, has met, at the expense of the individual, the standards for qualification in firearms training for active law enforcement officers, as determined by the former agency of the individual, the State has not established such standards, standards set by any law enforcement agency within the State to carry a firearm of the same type as the concealed firearm

14.2.4 LIABILITY PROTECTION

A. The City of Emporia is self-insured through Virginia Risk Sharing Association (VRSA). This insurance is intended to provide protection for personnel and the City in cases of legal action against an employee and/or the City. The insurance will cover authorized appropriate actions undertaken within the scope of the employee's official duties. Legal action instituted against an employee or the City as a result of willful neglect of duty or purposefully harmful actions may be the sole liability of the employee involved.

14.2.5 MILITARY DEPLOYMENT

A. The purpose of this General Order is to delineate a plan for personnel with military activations exceeding 180 days for pre-deployment, deployment and post deployment.

B. The Emporia Police Department supports its members who are also members of the armed forces Reserve Component or National Guard through pre-deployment, deployment and post deployment phases and to assist the member with reintegration after the military activation concludes.

1. Military Leave Policy

a. The City of Emporia's Military Leave Policy is contained in the City of Emporia Personnel Policy Manual 9-9. The section establishes leave for military activation and other benefits under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

b. The procedure for requesting or approving military leave will be the same as requesting or approving any other form of leave in accordance with City Policy.

2. Designated Points of Contact

a. The Major is the designated agency point of contact for questions related to the military leave policy and related paperwork.

b. The City of Emporia's Human Resources Department will serve as the City's point of contact for questions related to military leave and USERRA.

c. The member's division commander will serve as the department's direct liaison with the deployed member and their family during pre-deployment, deployment and post deployment periods.

3. Out Processing Procedures

a. Members involved in a military activation exceeding 180 days will be scheduled for an exit interview with the Major to review City and department directives, the member's obligations and address any questions the member may have at the time.

b. The Major will confirm methods of contact with family members and the member under military activation so as to maintain communications during deployment. The designated point of contact or designee is responsible for maintaining a continual liaison with the deployed member to help ensure a seamless transition upon their return to work. This liaison includes notification of agency news, significant events, promotions and promotional opportunities.

c. Members will store all lethal and less lethal weapons with the department during deployment. In addition, the department vehicle assigned to the employee will be parked at the Police Department. All other Department equipment issued to the employee will be stored at the employee's residence.

4. In Processing Procedures

a. Members returning from a military activation exceeding 180 days will be scheduled for an interview with the Major to review City and department directives, the member's obligations upon returning to work and address any questions the member may have at that time.

b. The Major is responsible for inquiring and determining if the member from military deployment has any special needs, particularly those involved in combat operations, and offer the City's Employee Assistance Program (EAP) or other locally available and feasible resources for returning military members.

c. Returning sworn members who missed regular firearms and/or less lethal training and/or qualification are required to complete the training prior to resuming normal duty.

d. Returning members are required to complete initial and/or refresher training for mandatory training topics that were not completed during military deployment prior to resuming normal duty.

e. If at all possible the Department will attempt to have the employee receive in-service training prior to long term military deployment. If the employee is not able to receive in-service training prior to deployment, they will receive in-service training after they return home from deployment.

14.2.6 ASSISTANCE TO DEPARTMENT PERSONNEL AND FAMILIES

A. Policy:

It is the responsibility of the Emporia Police Department to provide appropriate assistance to police officers and other employees, and their families, following line-of-duty deaths or serious injuries.

B. Procedures:

1. When an employee suffers a life-threatening injury or is killed in the line-of-duty, the employee's supervisor shall notify the Chief of Police and the Command Staff. Each sworn member of the police department is requested to complete a "Personal Information Form" that will be updated annually and securely maintained in the Office of the Chief of Police.

2. The Personal Information Form will contain pertinent information on the officer's family contacts, personal requests, special funeral requests, benefit information, etc. and will only be used in the case of an officer's death or serious injury when the Department feels it may be of some assistance following a critical incident. The Personal Information Form is also made available to civilian employees for their participation.

3. The Chief of Police or his designee will be responsible for making personal notification to the employee's family.

4. Upon notification, if the employee's family wants to go to the hospital, the persons making the notification shall provide transportation in Emporia

Police Department vehicles. If the family wants to drive a personal car, the persons making the notification shall provide a driver for the family. The persons making the notification should inform the Communications Center that the family is going to the hospital.

5. The persons making the family notification should arrange for a police officer to stay at the family's home in case young children are present and need to be watched.

6. The Chief of Police or his designee shall verify that the employee's family has been officially notified by the department before releasing the name of the employee to the media.

7. When an employee is killed in the line-of-duty, the Chief of Police shall appoint a police officer to act as liaison to the employee's family during the initial hours and days following the death.

    a. The liaison shall serve as an advocate for the family to ensure the City's responsibilities to the family are fulfilled.

    b. The liaison shall verify that the family is receiving the available city, state, and federal benefits, including (but not limited to) psychological counseling, the applicable continuation of health insurance benefits, and all applicable life insurance settlements.

    c. The liaison will also be responsible for coordinating the department’s involvement in the funeral or other services, consistent with the desires of the family.

8. When the employee's death is the result of criminal activity, the liaison will be responsible for keeping the family informed of the status of any criminal investigation and/or prosecution. The following guidelines should apply:

    a. The family should never hear of court or investigation proceedings from the news media before they hear from the liaison.

    b. The family has the right to know, and should be told about the details of the incident that caused the employee's death. If release of the information to the family could damage a court case, then the liaison should inform the family of that fact, then inform them of the details at the earliest possible moment when release would not damage a court action.

    c. The liaison should verify that the family's rights as victims are being upheld.

    d. The liaison should coordinate their efforts with local Crime Victim/Witness Assistance Programs.

e. The liaison should accompany the family to all court proceedings to provide support for the family and to represent the Department. The liaison should also be available to provide transportation to and from court.

f. Other employees of the department should be encouraged to attend court proceedings to show support for the family and to represent the department. Nothing herein, however, shall be construed to require employees to attend such proceedings.

g. The liaison will be responsible for conducting periodic follow-ups with the family after the funeral:

(1) To verify that survivor benefits have been received in a timely manner.

(2) To coordinate the provision of incidental services to the family, including but not limited to, child care and transportation.

(3) To include the family in Departmental functions as long as the family so desires.

(4) The liaison should be mindful that the family may eventually wish to discontinue their ties with the department and should respect the family's wishes.

14.3 CONDITIONS OF WORK

14.3.1 PHYSICAL EXAMINATIONS

A. Police Officers and the Animal Control Officer will undergo an annual physical examination. The exam will be at no cost to the employee.

1. The physical examination is conducted only to determine the employee's continued fitness to perform the tasks of a police officer and animal control officer and to inform them of their general physical condition. The attending physician will either recommend or not recommend the officer for duty. Employees ineligible for duty will be evaluated by their division commander and the Chief of Police. This evaluation will also consider if a reasonable accommodation can be made.

B. The Emporia Police Department will require a Communications Officer to undergo a medical examination, which may include a hearing and vision test to determine fitness for duty.

1. Acceptable hearing is critical for telecommunicators who have to receive quick and accurate information from radios and telephones, often under stressful situations with assorted background noises, distractions and fluctuating volume levels.

2. Adequate vision and color perception is important with the increasing use of CAD systems that include color identified information.

3. The hearing and vision tests will only be conducted to confirm the employee's continued fitness to perform the tasks of their assignments and to inform them of their general condition, not to identify employees with disabilities who are otherwise able to perform their assigned duties, with or without reasonable accommodation.

C. The cost of annual, pre-employment or fitness for duty physical examinations will be at the City's expense. No fees will be charged to employees or prospective employees.

14.3.2 GENERAL HEALTH AND FITNESS

A. The Emporia Police Department is committed to the wellness and overall fitness of its employees. All sworn personnel are required to maintain a level of fitness, which will permit them to effectively carry out their duties.

B. The Department utilizes a Wellness Room that is located within the Emporia Police Department. Rules that apply to the use of the Wellness Room are:

1. The Wellness Room will be available 24 hours a day, to all sworn law enforcement. This also extends to other employees of law enforcement agencies that would normally have access to the secured portion of the Department. Immediate families of sworn personnel are also welcome, *when accompanied by the employee for the duration of their visit.*

2. The following guidelines will help to ensure that the room stays in good condition and is a place that everyone can enjoy.

   a. A sign-in book is provided inside the door – ALL persons using the room will sign in prior to use.

   b. All equipment shall be wiped down and returned to its' proper / original location after use.

   c. All spills and/or trash shall be cleaned up immediately and placed in the proper receptacle.

   d. All electronic equipment (radio/TV, fan, cable, etc.) shall be turned off before exiting the room.

   e. NO horseplay, NO dropping/slamming weights, NO profanity – This is a family oriented workout facility in a workplace setting, all persons shall conduct themselves accordingly.

3. Any personnel using the Wellness Room will report any damage/issues /malfunctions with the room or equipment to the Wellness Coordinator immediately either via email or telephone contact. In the event an issue arises that needs immediate attention, please contact the on duty supervisor.

C. The Department has a Wellness Program that ensures all employees the opportunity to participate to achieve an acceptable wellness level. The goal of the Department is for each employee to achieve a level of wellness and fitness which gives employees a valuable tool when working law enforcement.

14.3.3 OFF-DUTY EMPLOYMENT

A. Off-duty employment is employment outside of the EPD, where use of an officer's law enforcement powers is not anticipated. The regulations pertaining to such secondary employment apply to both sworn and non-sworn personnel. To ensure on-duty efficiency and to eliminate possible conflicts of interest, the Chief of Police shall exercise such control as deemed necessary to realize these organizational goals. It is the policy of the EPD that any off-duty employment will not be permitted when it may impair on-duty efficiency or conflict with the duties and responsibilities of departmental personnel.

B. Regulations

1. Employment must not constitute a conflict of interest as governed by the Department and the City of Emporia.

2. Personnel shall not work off-duty in any capacity during their basic academy training period.

3. Personnel may work off-duty employment during their field training program; as long as it does not affect their performance as an Emporia Police Officer. However, they may not exceed 24 hours per week. (Sunday through Saturday)

4. Employment shall not exceed 16 hours in a 24-hour period, including on-duty time.

5. While on duty, personnel shall not solicit any individual or business for the purposes of off-duty employment.

6. City owned vehicles or equipment will not be used while traveling to and from or engaging in off-duty employment.

C. Administration - Before accepting off-duty employment or entering into a business affiliation, personnel must submit, through the chain of command, their request to the Chief of Police and obtain written permission. Personnel shall be aware that injuries incurred during off-duty employment activities will not be covered under Worker's Compensation or duty related retirement.

Absence from duty due injury or illness incurred during off-duty employment will necessitate the employee's use of sick, vacation or compensatory leave.

14.3.4 EXTRA-DUTY EMPLOYMENT

A. Extra-duty employment is off-duty employment as a police officer within the City of Emporia for persons or organization requesting such service. Such extra duty employment may occasionally require the use of police powers by officers performing such employment. Extra duty employment is governed by state law, City ordinances and Department regulations.

B. The Chief of Police or his/her designee will be responsible for the approval, review and revocation processes pertaining to extra-duty employment. Officers shall not engage in extra-duty employment unless authorized by the Chief of Police or his/her designee.

C. The Emporia Police Department **will not** provide security for any event or detail that could potentially be a conflict of interest.

D. All requests for extra-duty employment will be forwarded to the Operations Division Commander. The Operations Division Commander will ascertain the nature and requirements of the assignment and will determine the suitability of such employment. The Operations Division Commander will schedule, on a rotating basis, those officers who have requested extra-duty employment:

1. A rotating list is compiled and will be indefinite. Officers that are next due on the list will be offered the extra duty assignment. If the officer refuses the assignment, the next officer will be offered the assignment.

2. Officers may submit a memorandum of interest to be placed at the end of the list at any time.

3. An officer can be removed from the list at any time upon request of the officer, or by failing to adhere to the requirements of an extra duty event. (i.e. – failing to show up for an event, leaving an event early.)

4. Upon accepting an extra duty event, the officer must complete an extra/off duty employment and it shall be approved via the chain of command.

E. All extra-duty employment will be performed in uniform, in full compliance with Department regulations. Officers working extra-duty assignments will check in and check out with the on-duty supervisor and maintain communications with the Communications Center. Officers will have a police vehicle when working an extra duty event. Officers working extra duty will be required to respond to any emergency, criminal incident or breech of the peace that they observe, or at the direction of the on-duty supervisor. Any actions taken that involve the use of their police authority will be reported on a standard incident report at the completion of the extra-duty assignment. The actions of all officers providing extra duty police services will be in accord with City ordinance and policies governing the activities of EPD.

F. Officers shall not work extra-duty employment during their Basic and Field Training Programs. Once an officer has completed their training then they will be eligible to participate in extra-duty employment.

G. Employment shall not exceed 16 hours in a 24-hour period, including on-duty time, except in emergency situations or as authorized by the Operations Division Commander, Major or section supervisor.

H. Documentation of the significant aspects of outside employment will be submitted through the chain of command to the Chief of Police.

I. The Chief of Police, or his/her designee, will set the hourly rate for all extra duty details. Payment for these events will be directly between the officer and the person or persons requesting the security detail.

J. All Emporia Police Department personnel will be prohibited to work any extra duty employment for any criminal justice agency, such as correctional institutions and/or law enforcement agencies.

15.1 GRIEVANCE PROCEDURES

15.1.1 GRIEVANCE PROCEDURES

The City of Emporia is committed to resolving employee complaints and grievances in a just and equitable manner. The Department utilizes the City of Emporia Grievance Procedures as set forth in the City of Emporia *Personnel Manual*, Chapter. Covered employees of the City of Emporia (see City *Personnel Manual*, 6-13) have the right to submit complaints or disputes to the grievance procedure for resolution without threat of discrimination, coercion, restraint or reprisal. The timely resolution of grievances enhances employer-employee relations and serves the mutual interests of all parties concerned.

15.1.2 COORDINATION OF GRIEVANCES

The Human Resource Specialist is responsible for managing the grievance process for all personnel within the Department.

15.1.3 GRIEVANCE RECORDS

The Human Resource Specialist will be responsible for the maintenance and control of the grievance records of EPD personnel.

15.1.4 ANNUAL ANALYSIS

The Chief of Police will conduct an annual analysis of the grievances filed by Department personnel; as well as, supporting policies and practices identifying any trends and causative factors. When trends or patterns are discovered the Chief of Police will take appropriate action to ensure that the situations are corrected.

15.1.5 LAW ENFORCEMENT OFFICER'S PROCEDURAL GUARANTEES

Sworn employees who elect to proceed under the *Law Enforcement Officer's Procedural Guarantee* shall do so in accordance with Code of Virginia, Title 9.1, Chapter 5, as amended.

16.1 DISCIPLINARY PROCEDURES

16.1.1 CODE OF CONDUCT

See Rules of Conduct, Section A.

16.1.2 DISTRIBUTION OF REGULATIONS

A. All personnel are provided with a copy of Department regulations and it is each employee's responsibility to read, understand and comply with these regulations.

16.1.3 AWARDS SYSTEM

A. Definition – Personnel actions may be defined as "those steps taken to recognize, reward, develop, instruct, or correct employee actions," and shall include commendations, counseling, training and disciplinary action.

B. Policy – To administer both rewards and discipline fairly and impartially, and in accordance with the laws of the Commonwealth and policies of the City.

C. For a personnel program to be viewed in a positive manner, it must be administered in a fair, consistent, and impartial manner, with recognition and reward for exceptional performance as much a part of the process as correcting deficiencies and disciplinary action.

D. It is the responsibility of all command and supervisory personnel to recognize and commend exceptional performance, to utilize counseling and training as tools for correcting deficiencies, and when circumstances require it, to recommend appropriate forms of discipline.

E. Discipline is the responsibility of each employee. A well-disciplined department is one that voluntarily conforms to its rules, regulations and general orders. The Department employs a structured disciplinary system to be followed for infractions of General Orders and Rules and Regulations. This procedure is meant to ensure prompt, suitable and consistent discipline. The disciplinary system also provides a means of recognizing actions or performances by personnel of the Department which are either outstanding or beyond that which is normally expected.

F. Awards System - This system is overseen by the Chief of Police.

   1. All award nominations are submitted by an officer's supervisor to the Chief of Police in memorandum format and will include pertinent documentation (i.e., pictures, letters, etc.), if any.

2. When receiving an awards nomination, the Chief of Police will bring the nomination to the next staff meeting to discuss with the Lieutenants, Captains and Major.

3. The command staff will review the nomination and make a recommendation to the Chief of Police.

4. The Chief of Police may grant an award without a recommendation from the command staff.

5. Final approval from the Chief of Police is necessary for all awards.

6. All awards will be documented for inclusion in the employee's personnel folder.

7. Letters/memos received from citizens recognizing personnel of the Department will be acknowledged in writing by the Chief of Police.

G. Commendations and Awards – Supervisory personnel should recognize and commend an employee's exceptional performance through the use of the following forms of commendation:

1. Oral Commendations – public recognition by a supervisor for a good action or a job well done. When an oral commendation is given by any supervisor, it shall be documented and forwarded to the City Manager's Office.

2. Letters of Commendation – letters acknowledging the good work of an employee. The following steps are to be followed when preparing letters of commendation for sworn and non-sworn employees:

    a. Step 1 – All requests for letters of commendation are to be forwarded to the Chief of Police for preparation in citizen and in-house requests.

    b. Step 2 – The Chief of Police will prepare letters of commendation and ensure the inclusion of the letter in the employee's personnel folder.

    c. Step 3 – Prepared letters of commendation will be presented to the employee and that the employee initials the copies to ensure receipt of the letter.

3. Acknowledgement of Citizen/In-House Letters

    a. Step 1 – Letters/memos/on-line communication received by the Chief of Police from citizens and in-house personnel recognizing personnel of our Department will be acknowledged in writing by the Chief of Police.

b. Step 2 – Letters will be prepared by the Chief of Police and sent to the citizen or in-house employee who wrote the request for commendation of the employee thanking them for their letter/memo. One copy will be retained in the employee's personnel folder and the original mailed to the citizen or forwarded to the in-house employee.

4. Valor Awards – recognition for performing a valorous act above and beyond the call of duty. (Sworn Employee's only)

5. Life-Saving Award – This award recognizes an employee who through medical intervention is responsible for saving a life. The action may include an activity such as cardiopulmonary resuscitation or other actions involving the employee's assistance.

6. Meritorious Action Award – recognizes superior action by a sworn employee in response to a specific situation.

7. Service Organization Award – Outside organizations, public or private, or other City/ County Department's which wish to commend or honor an employee for outstanding service to the community.

16.1.4 DISCIPLINARY SYSTEM

A. Discipline – The severity of the disciplinary action will be determined by the severity of the misconduct or performance. Generally, the severity of discipline progressively increases with repeated or multiple infractions.

1. The seriousness of the incident,

2. The circumstances surrounding the incident,

3. The employee's disciplinary records and work performance,

4. The overall negative impact on the Department, and

5. The prognosis for future similar problems will all be taken into consideration in the administration of discipline.

6. The department may mandate remedial training for personnel found to be deficient in some necessary skill. The policy concerning remedial training is described in General Order 19.1.5-Remedial Training.

B. Infractions and Punishments – Unacceptable conduct and performance will divided into three categories according to severity of misbehavior.

1. Category I Offenses:

a. Category I Offenses are of minor severity, yet require correction in the interest of maintaining a productive and well managed department.

b. Category I Offenses normally result in the first offense in informal measures such as counseling, or a verbal warning.

c. Category I Offenses will include, but are not limited to:

(1) Excessive absences or tardiness;

(2) Abuse of duty time;

(3) Abusive or obscene language;

(4) Inadequate or unsatisfactory job performance;

(5) Disruptive behavior.

2. Category II Offenses:

a. Category II Offenses include more severe acts of misbehavior.

b. Category II Offenses normally result in the issuance of a written warning.

c. A subsequent infraction of a Category II Offense within one year could result in a suspension from duty without pay, demotion or dismissal.

d. Category II Offenses will include, but are not limited to:

(1) Failure to follow a supervisor's instructions, perform assigned work, or otherwise comply with policy;

(2) Violating safety rules without a threat to life;

(3) Unauthorized time away from work assignments without permission during duty hours;

(4) Unauthorized use of misuse of city property;

(5) Refusal to work overtime based upon a reasonable request, or repeated refusals to work overtime.

3. Category III Offenses:

a. Category III Offenses includes acts of such severity as to merit a suspension or dismissal at a single occurrence.

b. Category III Offenses could result in a significant amount of suspension off without pay or dismissal.

c. Category III Offenses will include, but are not limited to:

(1) Absence without notice to a supervisor;

(2) Use of alcohol or unlawful possession of a controlled substance while on-duty;

(3) Reporting to work under the influence or when ability is impaired by alcohol or a controlled substance;

(4) Insubordination or serious breach of discipline;

(5) Falsification of any reports, such as: vouchers, official reports, time sheet records, or knowingly make a false statement;

(6) Willfully or negligently damaging or destroying city property;

(7) Theft or unauthorized removal of department records;

(8) Gambling on city property, outside of the employees official duties if working in an undercover capacity;

(9) Acts of physical violence or fighting, except as part of official police business;

(10) Violating safety rules where there is a threat to life;

(11) Sleeping on Duty;

(12) Participating in any type of work slowdown;

(13) Unauthorized possession/use of firearms/dangerous weapons/explosives;

(14) Threatening or coercing employees or supervisors;

(15) Criminal convictions for acts occurring on or off duty which are related to job performance and consequently to continue employment in the assigned position would constitute negligence regarding the Department's duties to the public;

(16) Use of public office for private gain;

(17) Engaging in criminal conduct on or off the job;

(18) Engaging in dishonest or immoral conduct that undermines the

effectiveness of the Department;

(19) Disclosure of confidential information to an unauthorized source;

(20) Accepting any bribe or perform any act of extortion in the performance of duties;

(21) Failure to answer any questions specifically directed and related to official duties or job fitness, unless criminal prosecution is contemplated;

(22) The excessive use of force that is employed on a citizen.

C. Disciplinary Hearing – This hearing is also known as a "Loudermill Hearing." The Chief of Police shall hold a hearing to determine discipline in those cases where suspension, demotion, or dismissal is recommended by the Major, Captain or Lieutenants. This hearing will be with the Chief of Police, the accused employee and the investigating officer. During this hearing the employee will be given the opportunity to speak on his/her behalf and may answer any questions the Chief of Police may have regarding the employee's conduct or performance. The Chief of Police shall give due consideration to the employee's remarks and shall decide if the investigation should remain as classified or be re-classified. Upon final determination of the classification and consultation with the City Manager, the Chief of Police shall impose discipline as set forth in 5 below.

D. When a supervisor contemplates recommending a suspension, demotion or dismissal, they shall discuss the case with the Major and the Chief of Police. The Chief of Police will then discuss the matter with the City Manager. Among the items to be discussed will be the length of any suspension without pay. This meeting shall take place after the Disciplinary Hearing, as described above in section C.

E. Advance Notification – When discipline greater than a written warning is determined, the Chief of Police shall provide the employee with an advance notification, to include:
   1. Statement of Charges – sufficiently detailed to enable the employee to understand the violation, infraction, conduct or offense for which the employee is being disciplined;

   2. A description of the type of disciplinary action (suspension, demotion or dismissal);

   3. Statement of Notification – informing the employee that the action proposed, if implemented, will become a permanent part of the employee's personnel folder;

4. A list of previous offenses, if any, which were considered in arriving at the current disciplinary action;

5. The effective date of disciplinary action.

6. A statement regarding the employee's right to grieve should the final decision result in a suspension, demotion or dismissal.

F. Exceptions to Notice Period and Preparation of Response – Advance written notice and the opportunity to respond are not necessary when there is reasonable cause to believe an employee is guilty of a crime for which a sentence of imprisonment can be imposed. When circumstances are such that the retention of the employee in an active status may result in damage to city property or may be detrimental to the interest of the city or injurious to the employee, fellow employees, or the general public the City Manager may temporarily assign the employees to duties in which these condition will not exist or place the employee on administrative leave or suspension as determined by the City Manager.

G. Types of Discipline – Sergeants, Lieutenants, Captains and Major shall have the authority to impose oral and written warnings. In the event of an oral warning, Chief of Police shall direct the supervisor to impose that discipline. A written warning may be imposed by a Lieutenant or higher in rank. The following types of discipline may be imposed when a finding of Sustained is reached in any internal investigation:

1. Counseling Session and Training – Counseling and training should be utilized when appropriate, as methods of improving employee performance and for correcting minor behavioral and performance deficiencies. Counseling sessions and training will be documented in writing and forwarded to the Chief of Police.

2. Oral Warning – If the employee misconduct is minor, consisting of a minor procedural mistake or inappropriate judgment, personnel as a general rule will be counseled or given the appropriate training. A supervisor may recommend training at any level of discipline. When a supervisor deems that an oral warning is warranted, the supervisor shall:

   a. Advise the employee, in private, of the specific rule/regulation/policy or procedure violated, the area of poor judgment, or the inappropriate conduct and the date of occurrence;

   b. Provide an opportunity for the employee to explain the conduct and weigh the explanation;

   c. If warranted, administer the warning;

d. Capture the oral warning in a form supplied by the City Manager's Office;

e. The supervisor shall submit the oral warning and any supporting documents and/or statements to the Chief of Police. The record of the oral warning is to be maintained solely as evidence of the prior counseling should the employee allege that it was not provided during possible appeals of future disciplinary actions;

f. The oral warning shall not be attached to documentation of subsequent disciplinary actions. In cases of subsequent disciplinary actions, the facts of prior oral warnings shall be included in any documentation of violations, if relevant.

3. Written Warning – If the employee's conduct is serious, or part of a continuing pattern of behavior involving repeated minor misconduct or mistakes, then a written warning may be appropriate discipline. All written warnings, to include supporting documents and/or statements are to be permanently filed in the officer's personnel folder maintained by the City Manager's Office. A written warning shall contain:

   a. Statement of Charges –in sufficient detail to enable the employee to understand fully the violation, infraction, conduct or offense for which the employee is being disciplined.

   b. Statement of Notification – informing the employee that it is an official written warning which will be placed in the employee's permanent personnel folder.

   c. Statement of Previous Offenses – in those cases where the written warning is considered a continuation of constructive discipline.

   d. A statement that similar occurrences may result in more severe disciplinary action for any future similar violations.
   e. The written warning shall be documented on a form provided by the City Manager's Office.

4. Suspension – If the employee's misconduct is very serious or a part of a continuing pattern of behavior involving repeated serious misconduct, personnel may be recommended for suspension. The memorandum noting the suspension shall be kept in the employee's personnel folder. When an employee is suspended without pay they will need to surrender their ID card and badge of authority, all department issued firearms and vehicle.

5. Demotion – Separate and apart from disciplinary action described in the preceding paragraphs, an employee may receive a non-job performance demotion when he/she willfully violates or willfully fails to comply with the

requirements imposed by the standards of conduct, or when an employee willfully participates in prohibited conduct. The memorandum noting the disciplinary demotion shall be kept in the employee's personnel folder.

6. Dismissal – If the employee misconduct is so serious that continued employment is no longer appropriate, is part of a continuing pattern of behavior involving repeated serious misconduct, or it is determined the employee is no longer suited for employment with the City, personnel will, as a general rule, be recommended for dismissal.

H. Probationary Employees – The disciplinary procedures prescribed above are applicable to those employees of the classified service assigned to regular positions, and do not apply to probationary employees. Personnel are not covered by such procedures until they have completed the probationary period.

16.1.5 SUPERVISORY ROLE/AUTHORITY

A. In the disciplinary process the role of the supervisor is to investigate any minor complaint involving, but not limited to:

1. Observe the conduct and appearance of personnel and detect those instances when commendations or disciplinary actions are warranted.

2. Investigate allegations of employee misconduct when within the scope of their authority and responsibility, and report as prescribed in Chapter 29 – Internal Affairs.

3. Recommend, when requested, methods of discipline, taking into consideration the behavior history and personality traits of the personnel under their supervision.

4. Implement the disciplinary action once reviewed by the Chief of Police.

B. Any police supervisor may relieve from duty immediately any police or civilian personnel of subordinate rank, irrespective of the organizational assignment of either person, when it appears that such action is essential to protect the interests of the City of Emporia and the EPD. The period of relief shall continue until a hearing is held. The relieved employee shall remain available during this period. A civilian employee may be relieved from duty by any supervisor. For specific procedures see General Order 29.1.8-Relief from Duty.

16.1.6 APPEAL PROCEDURES

See General Order 15.1.1, Grievance Procedures.

16.1.7 DISMISSAL NOTICE

A. An employee who receives an advance notice of recommended discipline will receive a subsequent notice implementing the discipline. The notice will be subsequent to any grievance or after it is apparent the employee chooses to accept the recommended discipline. The dismissal notice will be issued by the City Manager. If the employee is dismissed, a notification of dismissal notice shall include:

    1. Reason for Dismissal;

    2. Effective Date;

    3. Status of fringe and retirement benefits.

16.1.8 DISCIPLINARY RECORDS

A. The Internal Affairs Officer, or the investigating authority will maintain all documents relating to Internal Affairs during the course of the investigation.

B. Letters/memorandums of findings will be placed in the employee's personnel folder; however, all documentation relating to the investigation (interviews, photographs, etc.) will **not** be placed in the concerned employee's personnel folder.

C. Once the investigation is complete, the investigating officer will forward all documents of the internal affairs investigation to the Chief of Police to be stored.

D. Any discipline of oral warning or above will be entered in the concerned employee's personnel folder along with the charges and specifications.

E. Personnel may review their personnel folders; however, they must make arrangements with the City Manager's Office to view the folder.

16.1.9 SEXUAL HARASSMENT AND OTHER FORMS OF HARASSMENT

A. It is the policy of both the City of Emporia and the EPD that sexual harassment and other forms of harassment will not be tolerated. Any Department employee who while in the process of conducting City and Department business engages in sexual harassment or other forms of harassment will be subject to disciplinary action.

    1. Definition of Sexual Harassment – Unlawful Sexual Harassment includes, but is not limited to, any unwelcome sexual advances, request for sexual favors, and other verbal and/or physical conduct of a sexual nature which is made a condition of any employment decision affecting such individuals, or which creates an offensive, hostile or intimidating work environment.

2. Definition of Other Forms of Harassment – this is to include offensive comments or conduct pertaining to a person's race, ethnicity, religion, creed, ancestry, national origin, age, physical or mental disability, sexual orientation, gender or marital status. Which may be accomplished through the following means:

    a. Making gestures, threats or derogatory comments to individuals of the above name groups;

    b. Displaying derogatory objects, photographs, cartoons, calendars, posters; or

    c. Sending messages by letters, notes, electronic mail or phone.

3. Complaint Process – An employee alleging sexual harassment or any other form of harassment should file their complaint directly with:

    a. Any member of the employee's chain of command;

    b. The City Manager's Office;

    c. The Equal Employment Opportunity Commission – (EEOC)

B. All complaints of sexual harassment or any other forms of harassment shall be investigated by the Internal Affairs Officer.

1. All investigations shall be conducted in accordance with Chapter 29-Internal Affairs of the Police Department General Orders Manual and be completed within the established time limit.
2. At the conclusion of the investigation the Internal Affairs Officer will forward their findings to the Chief of Police, who will take the appropriate action based on the facts and circumstances presented in the investigation.

3. There shall be no retaliation against any employee who, in good faith, files an accusation of harassment, assists or participates in an investigation of such a complaint.

4. The complainant and the accused involved in the harassment complaint shall be advised of the disposition.

5. Grievance and appeal procedures are outline in Department General Orders, Chapter 15 and City of Emporia Personnel Policies 6-13.

16.1.10 INFORMATION ON FILING A COMMENDATION FOR EMPLOYEES

A. The Emporia Police Department employees take great pride in their work and appreciate knowing that they have helped another human being or

provided an exceptional service to the community. Public acknowledgement of a job well done is a positive reinforcement for officer morale; as well as integral part of building relationships between the police department and the community.

B. All personnel shall be familiar with the procedures for receiving a commendation form from the public.

C. How to File a Commendation:

1. All individuals are encouraged to contact the Emporia Police Department if they desire to commend the performance or behavior of any employee of the Emporia Police Department; to include employees desiring to commend the behavior and performance of another employee.

2. Any interested party that desires to commend any employee may contact the Emporia Police Department at 434-634-2121 and ask to speak to the On-Duty Supervisor or any member of the Command Staff.

3. Individuals can also access the commendation form which is located on the Emporia Police Departments website.

4. Any citizen may submit a letter commending the employee's job performance or behavior.

5. The Chief of Police will recognize the employee's commendation in a public setting and the commendation form or letter will be included in the employee's personnel folder.

17.1 ADMINISTRATIVE PRACTICES AND PROCEDURES

17.1.1 RECRUITMENT PROGRAM

A. The purpose of this administrative order is to clarify responsibilities for the recruiting process, to assign duties, to explain recruitment procedures, and to provide a framework for the recruitment of law enforcement personnel.

B. Public service of a high quality is essential to the development of the City of Emporia. It is the principal means by which both the City and our Department will reach our maximum potential. It is necessary that all employees and citizens understand that no service is more important than that done in the public interest.

C. The Department will maintain an active recruitment program to attract applicants for actual or forecasted departmental vacancies. One of the highest priorities of the Department is to provide quality service through quality personnel. The Department will, in its recruitment of law enforcement, communications and civilian personnel, identify and employ the best candidates available. The recruitment program will ensure that a list of qualified applicants is on file to fill personnel vacancies as quickly as possible and ensure the authorized personnel strength of the Department is maintained. The recruitment program will be conducted in a manner that is consistent with Equal Employment Opportunity (EEO) regulations.

1. It is the goal of the Department to establish a representative minority and female group of sworn employees through active recruitment of qualified applicants.

2. Where possible, the Department will involve departmental minority personnel, especially those of supervisory rank, in the recruiting process to help provide a workforce that meet's the community's service population.

3. Department personnel requested to speak before public groups/events, particularly involving young adults, should-if appropriate, mention career opportunities in law enforcement as part of their program.

D. The Chief of Police works in conjunction with all members of the Department to maximize recruitment efforts to benefit the agency. Members of the Department will offer input to the recruitment process, but the overall responsibility rests with the Chief of Police or his/her designee.

1. The major recruiting activities for the Department are vested under the direction of the City Manager's Office, along with the Chief of Police. To ensure job relevancy, the Department's recruitment strategies and procedures will be based on a detailed analysis of the nature of the job to be performed, the knowledge, skills, and training required to perform the

job tasks, and prerequisite personal attributes. This will be the responsibility of both the City Manager's Office and the Chief of Police.

2. The Chief of Police shall conduct an annual analysis on recruitment efforts. The analysis shall include:

   a. Progress toward stated objectives.

   b. Revisions to the recruitment plan.

17.1.2 RECRUITMENT OFFICER

A. The Chief of Police will serve as the Department's Recruitment Officer.

B. Employees assigned the task of assisting with recruiting personnel will be trained by the Chief of Police in the following:

   1. Department recruitment needs and commitments.

   2. Department career opportunities, salaries, benefits and training.

   3. EEO and recruitment, and Civil Service compliance guidelines, including their effects on the operations of the Department.

   4. The City and its needs, including demographic data, community organizations and educational institutions.

   5. Cultural awareness in different ethnic groups.

   6. Techniques of informal record-keeping systems for tracking candidates.

   7. The different components of the screening and selection process.

17.2 EQUAL EMPLOYMENT OPPORTUNITY

17.2.1 DIVERSITY

A. The Department is committed to being fair and impartial in all relations with employees and applicants for employment, and conducting all aspects of employment without regard to race, color religion, gender, age, national origin, or ethnic heritage.

   1. It is the goal of the Department to establish a representative minority and female group of sworn employees as recommended by the Department's recruitment plan, through active recruitment of qualified applicants.

B. The Department will strive to hire personnel that reflect the true overall composition of the community. If a minority group becomes significantly underrepresented in the Department, the Chief of Police will direct recruitment efforts toward the underrepresented group. If the available qualified work

force is less than the makeup of the minority service community, the Department will recruit outside the service area in an effort work force that reflects the makeup of the community.

17.2.2 RECRUITMENT PLAN (and Affirmative Action)

A. The Emporia Police Department is committed to attracting and retaining the most qualified, professional applicants for all positions within the agency.

B. The agency continues its commitment to afford equal opportunity to all applicants regardless of race, gender, ethnicity, religion, sexual orientation, or disability.

C. The agency believes in the principles and practices of Affirmative Action and Equal Employment Opportunity as set forth in the City of Emporia Personnel Manual, Chapter 1-2, Equal Employment Opportunity.

D. The Chief of Police, along with the City of Emporia's Human Resource Department is responsible for the implementation, maintenance and review of the recruitment plan.

E. The Recruitment Plan for the Emporia Police Department includes the following:

1. A Statement of Measurable Objectives;

2. A Plan of Action to achieve the objectives identified;

3. Procedures to evaluate the progress towards goals and objectives and revise/reissue the plan;

4. Demographic Data of Sworn Personnel.

F. The Recruitment Plan

1. Goal #1- To Increase the Quality of Applicant

a. Objectives:

(1) To provide a brief presentation to Southside Community College criminal justice program at least once a year. The Operations Division Commander will be responsible for coordinating these presentations with the Community College and the allocation of personnel and resources for this assignment.

(2) Continue to participate in any job fairs in the area. The Operations Division Commander is responsible for coordinating and preparing for these events.

(3) Advertise on print and electronic media prior to the opening of the selection process. The Chief of Police is responsible for ensuring that this objective is accomplished.

(4) All advertisements will include the location and/or the process for applying with the Emporia Police Department, the updated benefits package and an announcement that the Emporia Police Department is an equal opportunity employer.

(5) To create a tri-fold brochure and flyer and mail them to local colleges and universities in Virginia and North Carolina that have criminal justice programs.

(6) Send the brochure and flyers to military bases to attract military personnel who are slated to be released from military service.

(7) Work with the City's Human Resources to maintain and update the City's website to include:

(a) Benefits

(b) Vacancy Announcements

2. Goal #2—Continue to make efforts to recruit minorities and women applicants to attract a more diverse workforce that will better represent the community.

   a. Objectives

   (1) Give presentation to the local NAACP

   (2) Attempt to reach minorities and women through presentations to the local colleges and military bases.

   (3) By better maintenance of the website, the department will reach a much larger diversity of potential applicants, including women.

3. Goal #3—Incorporate all employees into this plan of recruitment and promote the benefits of working for the Emporia Police Department.

a. Objective-The Chief of Police is responsible for organizing, coordinating and implementing this objective.

(1) Formulate and implement some sort of incentive to encourage Department employees to be on the lookout for individuals they feel are qualified applicants.

(2) Conduct roll-call training to ensure that all employees are informed and understand the benefits of working for the City of Emporia. This will include, but not limited to, retirement, education, paid time off leave, and other leave options as well as state benefits.

F. The Review and Re-Issuance of the Recruitment Plan

1. The Chief of Police is responsible for maintaining the recruitment plan and the equal opportunity program of the Emporia Police Department. The Chief of Police will annually review this plan for identification of problem areas concerning recruitment of qualified applicants, to include minority and female applicants. This review will also consist of a review the department's selection process.

2. If needed, the Chief of Police will make changes and updates to this recruitment plan.

17.2.3 EQUAL EMPLOYMENT OPPORTUNITY PLAN

A. The Department has an EEO plan, maintained by the Chief of Police. The Chief of Police will ensure full Department compliance with these plans. Training in EEO and non-discrimination will be coordinated by the Human Resource Department.

B. See City Personnel Manual 1-2.

17.3 JOB ANNOUNCEMENTS AND PUBLICITY

17.3.1 JOB ANNOUNCEMENTS

A. The posting of job announcements for the Department is the responsibility of the Human Resource Department; who will release job announcements and such publicity deemed necessary to secure the needed number of qualified applicants for employment.

1. The City of Emporia employment application and all job announcements (regardless of level) will be available and accessible on the City's web site and print media.

B. If an official deadline is established, it will be boldly indicated on employment announcements and recruitment advertisements.

C. Job announcements will include:

1. Class title for which applications are being solicited.

2. Pay grade of the class.

3. Duties, responsibilities, requisite skills, educational requirements and minimum qualification requirements of the class

4. If scheduled and if relevant to the position, time and place of required testing.

5. If determined, the time period during which applications will be accepted by Human Resources.

a. Sworn and non-sworn positions may have posted time limits, or open until filled.

B. All employment applications and recruitment advertisements will advertise the City Of Emporia is an equal opportunity employer.

17.3.2 COMMUNITY RECRUITMENT ASSISTANCE

A. The Department will seek recruitment assistance, referral and advice from community organizations and leaders. Personnel with such information should notify the recruitment officer so a follow-up contact can be initiated. This flow of information may be from formal or informal contacts, but all personnel need to be actively involved with this effort on a continuing basis.

B. The Human Resource Department will make job announcements available to community service organizations for all positions in the Department. The purpose will be to achieve broader dissemination and greater exposure of recruitment information. The Human Resource Department will develop and maintain a list of organizations receiving job announcements.

1. Job announcements will be posted with appropriate community organizations.

17.3.3 APPLICANT CONTACTS

A. The Human Resource Department is responsible for maintaining contact with applicants from the time of initial application until a final employment decision is reached. Copies of correspondence with applicants are

retained with the applicant's application and retained with the file. Generally the contacts will include:

1. Documentation of all applicant contact.

2. Acknowledged receipt of all employment applications and outline of pre-employment procedures.

3. Acknowledgements of testing policy and scores (pass/fail).

4. Periodically informing applicants of the status of their applications.

17.3.4 APPLICATION ERRORS

A. Applications for positions within the Department will not be rejected because of omissions or errors that can be corrected or rectified to the Department's satisfaction prior to the testing or interview process.

1. The Human Resource Department is responsible for reviewing all applications for positions within the Police Department for accuracy, completeness and eligibility.

2. Applications that are deficient will be processed routinely if the deficiencies can be rectified prior to the testing or interview process.

18.1 SELECTION

18.1.1 SELECTION PROCESS

A. The Chief of Police will make hiring recommendations to the City Manager during the selection process and the City Manager will hire personnel based on those recommendations. The Department maintains the responsibility for background investigations, oral panel interviews, psychological and medical examinations and the probationary period.

B. The Chief of Police will retain certain responsibilities in the selection of personnel, including:

1. Identifying specific needs of the Department;

2. Determining required skills;

3. Determining personal attributes required for positions.

18.1.2 SELECTION PROCESS AND JOB-RELATEDNESS

A. The Chief of Police, along with the City Manager's office, bears the responsibility for the selection process within Department.

B. The Department and the City of Emporia Human Resources Department shall consistently strive to demonstrate that all traits measured are shown to be significant or necessary to perform the job and shall ultimately be a predictor of future job success.

C. The Police Department and the City of Emporia Human Resources Department will ensure that elements of the selection process for sworn and non-sworn applicants are administered or provided by a private sector organization or vendor meet the requirements of job-relatedness in testing and rating criteria.

D. The selection process for sworn and non-sworn positions begins with the completion of a City of Emporia job application.

E. All elements of the selection process use only those rating criteria or minimum qualifications that are job related.

F. Valid Selection Process - The validity of the selection process is determined in one of three following ways:

1. Criterion related validation:
Criteria are identified as reflecting successful performance of the job and are correlated with the performance ratings for the

predetermined criteria; a high correlation demonstrates that the test is a useful predictor of the candidate's job performance. The psychological examination falls under this category.

2. Construct validation:

   Construct validation involves the identification of the characteristics or traits believed to be important to successful performance. The background investigation and physical examination falls under this category.

3. Content validation:

   A component of the selection process is justified by showing that it measures a significant part of the job. The written examination and oral panel interviews fall under this category.

G. Other special skills that will be considered, but limited to the selection process are: education, language skills (foreign and sign), prior law enforcement experience, computer training or other skills deemed to be an asset to the Department.

H. Testing materials are securely stored at the Human Resource Department, once used all study and test booklets are destroyed with the exception of the cover sheet of the test, which is kept with the applicant's file and scored test sheet.

18.1.3 UNIFORMITY

A. The selection process for sworn personnel is comprised of many elements, including a written examination, work performance test, oral panel interview, background investigation, psychological and medical examination and drug screen.

B. The selection process for non-sworn personnel is comprised of many elements, including a written examination, oral panel interview, and background investigation, psychological and medical examination, along with a drug screen.

C. The Human Resource Department, as well as the Chief of Police will ensure that the selection process for all personnel are administered, scored, evaluated in a uniform manner.

18.1.4 SELECTION PROCESS INFORMATION/REAPPLICATION

A. Initial Applicant Contact – Upon receipt of a letter, e-mail or phone call of interest, resume and/or formal application, eligible applicants will receive a letter detailing:

- All elements of the selection process,
- The duration of the process,
- The Department's policy regarding re-application,
- Date of the upcoming written examination.

1. Applicant Qualifications – The following are baseline requirements for application. The City Manager's Office makes determinations of applicant eligibility for equivalent situations not specifically listed:

   a. A completed City of Emporia employment application must be received before an applicant may begin the formal application process.

   b. Sworn applicants must be at least 21 years of age, while non-sworn applicants must be at least 18 years of age.

   c. Be a United States citizen.

   d. Have a High School Diploma or GED certificate.

   e. Have a satisfactory service record and not have been dishonorably discharged, if served as a member of the armed forces or military reserves.

   f. Applicants for sworn and non-sworn positions may not have any convictions of any felonies, violent or serious class 1 misdemeanors, or equivalent offenses for non-Virginia laws.

   g. Applicants must possess a current Virginia driver's license, or the ability to obtain one by the date of hire. The applicant should not demonstrate a pattern of irresponsible and/or unsafe driving habits regardless of current point assessments.

   h. Report any pending traffic violations, arrests or receipt of any summons to appear in court; criminal or civil in any political jurisdiction received during the application process. Violations with a potential of point accumulation upon conviction, will result in the suspension of the applicant's background investigation until final adjudication. Further, the applicant must report any contact with police authority.

   i. The following are Automatic Disqualifiers for Sworn Applicants:

(1) No suspension or revocation of driving privileges resulting from convictions of moving violations within the last two years.

(2) No DUI/DWI convictions within the past five years.

(3) Have not illegally sold or distributed any drug or controlled substance.

(4) Have not illegally possessed any drug or controlled substance within the past year. Experimental drug use will be evaluated by the Chief of Police.

(5) Have not used steroids considered unlawful to possess in the past three years.

(6) Have not been convicted of a felony charge or theft.

(7) Refusal to submit to a psychological or urinalysis examination.

(8) Shall not omit, misstate or falsely state any information in writing or orally during the course of the application process.

2. Unqualified – Applicants not meeting the requirements of the Code of Virginia, as well as the Emporia Police Department are sent a letter thanking them for their interest and citing why they are not qualified.

3. Application Procedure – Once an applicant takes the written examination the entire process may last approximately 90-180 days and depends on how far into the selection phases the applicant passes. The phases of the Department's employment process are:

   a. Receipt of a completed City of Emporia employment application;

   b. Written Examination;

   c. Physical Ability Test-for sworn applicants only;

   d. Oral Panel Interview;

   e. Background Investigation;

   f. Psychological Examination-for police and communications applicants only;

   g. Interview with the Chief of Police;

h. Medical Examination;

i. Drug Screen.

B. Written Test –

1. Pre-employment Screening Checklist

2. Test Policy

3. If an applicant is unable to successfully pass the written test on the first attempt the applicant is declared inactive, the applicant may elect to re-take the written test by initiating contact with the agency within one year of taking the first written examination.

4. If the applicant fails the written examination a second time, the applicant is declared inactive and will not be considered for selection for three (3) years, whereas then they are eligible to re-apply with the Department.

5. Test Procedure –

   a. The written examination is administered, score and maintained by the Human Resource Department. Tests are held as needed depending on the number of positions to be filled.

   b. Applicants will be advised of qualification information, the selection process and approximate length of time required and information specific to the position applied for.

   c. The Department's screening form is presented and reviewed, then completed by the applicants prior to the commencement of the test period. Once this document has been completed and collected, the test procedure commences.

   d. Applicants will be required to score a minimum of 70 or higher on the written examination. Applicants will be advised that they have passed and will proceed further through the selection process. If ineligible to proceed, the applicants will be reminded of the second testing opportunity if they are unsuccessful in their first opportunity.
   e. Once the applicants complete the Oral Panel Interview, they will be required to complete the physical ability test. Upon completion of the physical ability test the applicant will be notified by a background investigator.

f. Applicants will be advised of the date when background forms must be submitted to the background investigator and that failure to cooperate and complete these items will remove the applicant from the selection process.

g. Applicants will be advised of the approximate length of time required to complete the process.

h. Unsuccessful/ineligible applicant files are retained in the Human Resource Department until destruction in compliance with the Library of Virginia Retention Schedule.

C. Physical Ability Test – (Sworn Applicants Only)

1. Applicants will be required to complete a one mile run, push-ups and sit-ups.

2. The physical ability test will be administered by members of the Emporia Police Department.

3. If the applicant fails to complete the physical ability test the applicant will not proceed any further in the selection process.

4. If the applicant re-applies after the one-year period, they can start back at the physical ability phase of the selection process.

D. Oral Panel Interview

1. Applicants will be assessed during an oral panel interview comprised of members from different ranks within the Police Department. The preferred composition of the oral panel interview will be the Major, a Lieutenant, Sergeant, and an officer; however, based upon manpower, the Major may modify the composition of the oral panel board

2. Applicants will be evaluated on communication skills, interpersonal skills, decision-making and personal appearance.

3. Background Investigations will be assigned to the Support Division Commander or member of the Criminal Investigations Section who is trained in performing background investigations.

4. Applicants who are not recommended to move forward will be advised in writing and their applicants files will be forwarded to the Human Resource Department for retention and destruction in compliance with the Retention Schedule of the Library of Virginia.

E. Sworn and Non-Sworn Applicants

1. Sworn and Non-Sworn Applicants who have terminated employment within one year of re-application shall submit a completed job application, complete the physical ability test (Sworn Applicants Only) and oral panel interview. Once the former employee reaches the background investigation phase, the background investigator will conduct a modified background investigation from the time of separation until the start of the new background investigation. The investigator shall ensure the following:

    a. NCIC/VCIN and local record checks to include local incident reports for all jurisdictions in which the applicant resided and/or was employed since his/her separation date.

    b. Fingerprints submitted to the State and the FBI.

    c. DMV driving transcript to include any out of state license checks, if applicable.

    d. Interview with any employers since the applicant's resignation from the Department. If self-employed, an investigation will be completed with other business contacts or customers to characterize the employment period.

    e. If documents submitted for the initial hiring process are still on file, such as high school transcripts or birth certificates, they may be used in the subsequent investigation.

    f. Any other investigative initiative deemed appropriate by the Chief of Police.

2. Sworn and Non-Sworn Applicants not re-employed by the Department within 12 months will conform to the normal selection process as specified in this Chapter regarding Selection Process.

3. Applicants who are certified law enforcement or communication officers through the Virginia Department of Criminal Justice Services (DCJS) will receive a waiver from the taking written examination

4. Successful applicants will take their oath of office upon their first day of employment.

F. Non-Sworn Applicants

1. Receipt of completed City of Emporia employment application;

2. The Human Resource Department will conduct a screening of all applicants in terms of knowledge, skills, and ability which determines what candidates will be interviewed;

3. Oral panel interview;

4. Completion of a background investigation;

5. Completion of a medical examination and drug screen;

6. Completion of a psychological examination.

G. Elimination/Continuation – As each procedure is completed, applicants are informed both verbally and in writing of either their disqualification or passing of that phase and informed of the next step.

H. Applicant Selection

1. All recommended applicants are forwarded to the Chief of Police for consideration.

2. Those applicants who successfully complete the selection process but are not hired immediately will remain active for one (1) year from the date of application.

I. Offer of Employment

1. Upon successful completion of the background investigation phase and a positive recommendation from the Chief of Police, applicants will receive a conditional offer of employment provided by the City Manager's Office. The Police Department will schedule police and communication applicants a psychological examination, and will also schedule all applicants for a medical evaluation which includes a drug screen.

2. Although letters offering employment to successful applicants are written within specific guidelines, some are tailored for the position (sworn or non-sworn) and even further if necessary for certified and non-certified police officer positions. Any special requirements or conditions are detailed within the letter. Excluding these special situations, letters offering employment will include the position, salary, start date, and a point of contact for arrangements and questions.

J. Hiring

1. Offers of employment are extended by the City Manager's Office, following the recommendation of the Chief of Police.

2. The effective starting date generally falls on the first day of a pay period.

K. No Positions Available- From the beginning of the application process, all sworn applicants are informed that those successfully passing through the entire selection process would form an applicant pool and no guarantee of employment is given. If there are no current opportunities within the Department, applicants are informed which they are qualified for employment upon sworn position becoming available and they are requested to keep the Department apprised of their current address and telephone numbers.

18.1.5 INELIGIBLE APPLICANTS

A. Applicants who fail any written examination will be declared inactive. Those applicants would have to re-initiate contact with the City in one (1) year to re-take the written examination. If the applicant fails, the second examination they will be ineligible for a period of three (3) years. Additionally, applicants failing to show up for their test date and notifying the city in advance are considered to have failed the test and therefore inactive. If an applicant notifies the city in advance about their absence from testing may be re-scheduled at the next test date.

B. Applicants deemed ineligible for appointment in the selection process due to unsuccessful attempts to pass the written examination or are eliminated through any other components of the selection process will be notified in writing at the completion of the process. Such applicants will no longer be eligible for employment with the Department.

C. Any questions regarding automatic disqualifications are handled by the Chief of Police.

D. Police entrance examination materials (test booklets and answers) are protected from disclosure.

E. Any non-sworn applicant that is deemed ineligible through the oral interview, background investigation, psychological and medical examination or drug screen will not be considered for employment in the future.

18.1.6 DISPOSITION OF RECORDS

The completed records of sworn and non-sworn applicants not hired by the Emporia Police Department will be retained by the Human Resource Department in compliance with the records retention schedule of the Library of Virginia.

18.1.7 SELECTION MATERIAL SECURITY/DISPOSAL

Selection Material utilized by the City will be maintained in a secure manner within the Human Resource Department.

18.2 ADMINISTRATIVE PRACTICES AND PROCEDURES

18.2.1 BACKGROUND INVESTIGATION REQUIRED

A. Background Investigation Administrative Procedures

1. The Department shall develop a list of applicants for investigation. Those applicants chosen by the Chief of Police will be given to the Support Division Commander for investigation.

2. The Chief of Police will determine which background will be completed and in what order.

3. The background investigator will maintain security of the background investigation in their office or locked work space. Under no circumstances shall any record or file be removed from their office or work space, except when the investigation is being conducted or for supervisory review and transport to the Human Resource Department.

4. The investigative report is summarized in narrative form. The background investigator is a fact finder and will report those facts to the Chief of Police who will make a recommendation whether the applicant should be hired or not.

5. The background investigator should not divulge any information revealed in the course of the investigation, except to members of his/her chain of command.

B. Background Investigative Procedures

1. Experience:

   a. All local job references should be contacted first by an in-person visit from the background investigator. If the background investigator believes additional information is needed, a follow-up phone call will suffice.

   b. Managers or personnel offices for each former place of employment are interviewed to verify employment history dates, beginning and ending salaries, description of duties and responsibilities, and position title. The quality of work, willingness to accept supervision, initiative, dependability, attitude and aptitude is included in information gained from past employers. Attendance and safety records should be discussed. Any disciplinary actions should be noted. Dates

and types of promotions, reason for termination and recommendation for are noted.

c. The immediate supervisor, if different from the manager or personnel officer is interviewed for information regarding the applicant's working relationship with others, attitude toward supervision, personal opinion of job performance, strengths and weaknesses, and recommendation for hire.

d. Former law enforcement officers are required to provide performance evaluations for the last three (3) years of employment as a law enforcement officer.

e. If the background investigator is unable to obtain information from the applicant's previous employer(s), it will be the responsibility of that applicant to have the information (to include performance evaluations for the previous two years) forwarded directly to the background investigator.

2. Family Information- Determine names and addresses of immediate family members.

3. Education

a. Original transcripts of high school and college records are obtained from the applicant and confirmed. Applicants must submit a certified copy of college transcripts.

b. Dates attended and/or graduation date, total semester/quarter hours, class standing and grade point average are confirmed, in addition to the type of degree obtained.

c. Academic probation or suspensions shall be noted.

d. Attendance records are documented.

e. Date of birth is confirmed through school records.

f. Disciplinary actions are noted.

g. Extracurricular activities are noted.

h. Instructors are interviewed if the applicant attended school within five (5) years of the date of application to determine the general attitude of the applicant, ability to get along with others, and a recommendation for position.

4. Criminal History Background Check

    a. A criminal history background check will be completed on all applicant's applying for a position within the Police Department.

    b. The criminal history check will include a NCIC and VCIN check, along with any other applicable source.

    c. Each charge and conviction shall be noted in the final background investigation report.

5. Armed Forces Services Record

    a. DD-214's are examined for date of entry and separation, serial number, highest rank held, place of discharge, honorable or dishonorable, description of duties performed while in service, and disciplinary actions, medals or awards and related activities resulting in awards, and re-enlistment eligibility.

    b. Performance evaluations for the last three (3) years of military service shall be provided by the applicant (if applicable.

6. Character and Reputation- The background investigator needs to interview the three (3) personal references given on the application, and if possible attempt to locate other references not given by the applicant. When interviewing references, the investigator determines:

    a. Length of acquaintance.

    b. Applicant's inclination to gossip.

    c. Association with persons of questionable character, and if so, a brief background of that persons criminal activity.

    d. Whether or not the applicant has been known to use drugs or excessive alcohol.

    e. If the applicant appears to live within his/her means.

    f. If the applicant is honest and reliable.

    g. The applicant's normal appearance acceptable, temperament and ability to get along with others, and whether or not they use profanity on a regular basis.

h. Where the applicant spends their leisure time.

i. Reputation of the applicant's family members or close associates in the community.

j. Whether or not they would recommend the applicant for the position.

7. Financial Obligations/Credit History- In order to determine the applicant's financial stability, a credit check is conducted on the applicant to determine if there is a high credit, judgments or bankruptcies.

   a. Under federal law the subject of a credit report has the right to challenge the accuracy of information contained in any credit report and demand correction when it contains erroneous information. Specific procedures defined and regulated by the Consumer Reform Act of 1996 and the Fair Credit Reporting Act are as follows:

      (1) Users of consumer reports must have a permissible purpose.

      (2) As a Police Department, our permissible purpose as detailed by Section 6-4 of the FCRA is for employment purposes, including hiring and promotion decisions where the consumer has given written permission.

      (3) Prior to obtaining a consumer report, the background investigator must make a clear and conspicuous written disclosure to the applicant that a consumer report will be obtained.

      (4) Written permission must be obtained from the applicant before a consumer report is obtained.

      (5) Consumer reports that may result in adverse employment action against the applicant must be brought to the attention of the applicant.

8. Derogatory Information

   a. If derogatory information has been revealed and the investigator feels the need to clarify the information with the applicant, or the validity of the information is questionable, and additional interview may be conducted.

b. Documentation is included in the background report to verify existence of the disqualifiers or derogatory information, and the discussion of the disqualifier with the applicant is noted in the interview section of the background report.

9. The Background Investigator will review the National Decertification Index to determine if the applicant's law enforcement certification has been de-certified. In addition, a check through the state database to determine why the applicant may have left previous departments.

18.2.2 BACKGROUND INVESTIGATION TRAINING

Background investigations are conducted by employees qualified in background investigations. Background investigators will receive specific training in the area of applicant investigation.

18.2.3 BACKGROUND INVESTIGATION RECORD RETENTION

A. The Human Resource Department will ensure that the record of each applicant's background investigation is maintained in a confidential section of each successful applicant's personnel folder during employment. Upon separation of employment, these records will be disposed of in accordance with the Library of Virginia retention schedule.

1. Unsuccessful applicant's data (name, SSN, DOB, test score, investigator and how far into the selection process they went) will be recorded and the file retained in the Human Resource Department until it can be destroyed in compliance with the Library of Virginia's retention schedule.

2. Names of new applicants will be screened against this database to assist in the determination of the eligibility of the applicant. If ineligible, the applicant will be notified in writing, citing the reason(s).

18.2.4 MEDICAL EXAMINATION

A. Physical qualifications must meet professional and legal standards for job relevancy, usefulness and fairness.

B. The Emporia Police Department has a minimum age of 21 for sworn personnel and 18 for non-sworn personnel.

C. All applicants will receive a medical examination to determine if they are physically for the position.

D. Applicants for the position of Communications Officer will also receive hearing and vision examination as a part of their pre-employment medical examination.

E. Applicants will receive clearance from the physician conducting the examination.

F. The evaluation will include a statement from the licensed physician interpreting the results.

G. Sworn applicants will be required to complete the physical ability test to assess their ability to perform the essential functions of a police officer. Sworn applicants will be required to successfully complete a one-mile run, push-ups and sit-ups.

18.2.5 PSYCHOLOGICAL EXAMINATION

A. A psychological examination designed to assess the emotional stability and psychological fitness of each police and communications applicant will be conducted prior to appointment, using valid, non-discriminatory procedures

B. Only qualified licensed professionals will be used to assess the emotional stability and psychological fitness of police and communications applicants. These assessments will assist in eliminating applicants who may not be able to carry out their responsibilities or endure the stress associated with employment in this field.

C. The recommendation will show the applicant as either *Recommended* or *Not Recommended*.

18.2.6 MEDICAL AND PSYCHOLOGICAL EXAMINATIONS-RECORDS RETENTION

A record of the results of medical and psychological examinations will be retained by the Human Resource Department and will be disposed of in compliance with the Library of Virginia's records retention schedule.

18.2.7 LENGTH AND TERMS OF PROBATION

A. All entry level employees must complete a probationary period before being granted permanent status.

B. Sworn personnel who are certified upon being hired will serve a 12-month probationary period. This 12-month probationary period will begin once the employee completes a modified field training program.

C. Non-certified personnel must complete the basic law enforcement academy and field training. Their 12-month probationary period will commence once they have successfully completed field training.

D. All non-sworn personnel must complete a six (6) month probationary period before being granted permanent status.

E. In compliance with the City Personnel Policies Manual 6-13-Grievance Procedure, during the probationary period personnel may not avail themselves of the grievance procedure.

F. During the Probationary Period personnel may be terminated at will or without cause.

G. The probationary period provides an opportunity to evaluate an employee's qualifications for becoming a regular employee of the City.

H. Upon satisfactory completion of the probationary period, regular status will be granted to those probationers deemed satisfactory for service with the City.

I. Extensions of the probationary period will be permitted for employees, only if there is an illness or injury and will evaluated by the Chief of Police, in consultation with the City Manager.

J. All probationary employees have the right to appeal any evaluation report they feel is not accurate or fair. The affected employee should first discuss the disagreement with the evaluator. If an agreement cannot be reached, the affected employee shall submit an appeal in writing to the Major. The Major will serve as the arbiter. If disagreement remains, the employee may submit an appeal in writing to the Chief of Police, who will have the final authority.

18.3 RECORDS RETENTION

A. Records of sworn and non-sworn applicants who fail to successfully complete the selection process are forwarded to the Human Resource Department, who retains those records in compliance with the Commonwealth's Library of Virginia Records Retention and Disposition Schedules.

B. Record for applicants who are hired are retained in the Human Resource Department and these records are retained there after they leave employment based on the Commonwealth's Library of Virginia Records Retention Schedule.

19.1 ADMINISTRATION

19.1.1 TRAINING FUNCTION

A. The training officer functions within the Department are the responsibility of the Major and include, but are not limited to, the following:

1. Planning and developing training programs.

2. Coordinating recruit and in-service academy training and acting as the Department's liaison with the Crater Criminal Justice Training Academy.

3. Notifying personnel of required training, and training that is available to personnel.

4. Maintaining training records.

5. Maintaining attendance records of all mandatory training programs to ensure that required programs are attended.

6. Implementing training programs.

7. Assisting in the selection of instructors and developing resources.

8. Evaluating training programs.

9. Coordinating all training programs.

10. Ensuring all training is conducted within the framework of departmental goals and in cooperation with all operational sections.

B. It is the training officer's responsibility to provide training for both sworn and civilian personnel. He/she will distribute a training calendar of prospective in-service training annually. Information on available training outside the Department will be distributed through the training officer. Resources for training program development shall include, at a minimum, reviews and evaluations of the following:

1. Inspection reports.

2. The results of command staff meetings and reports.

3. Consultation with field personnel and field observations.

4. Training evaluations.

5. Internal Affairs investigative reports.
6. All employee input concerning the development of training programs.

C. Training Committee – The Department's training committee is composed of the Major, the Captains and the Lieutenants. The purpose of this committee is to assist the Department's training officer in evaluating training programs, development and evaluation of the Department's training function, to include suggestions for:

1. Recruit training

2. In-service training

3. Roll-call training

4. Specialty training

    a. Meetings will be held at least annually at the call of the Major. Minutes of each meeting will be maintained and reported to the Chief of Police.

19.1.2 ATTENDANCE REQUIREMENTS

A. Personnel of the EPD shall attend all training programs to which they are assigned and comply with all rules and regulations of the training provider. Attendance will be treated as any other duty assignment. Attendance rosters for departmental training are the responsibility of the instructor. Instruction classes outside the Department will be monitored by the training officer to ensure that departmental personnel fulfill their attendance requirements.

B. There are situations when personnel may be excused from training programs such as illness, personal emergency, or court appearances. Any absences must be properly excused by the administrators of the program and must be in compliance with directives under which the training program is being operated. Students will make every effort to make up for absences. Unreasonable excuses will be brought to the attention of the Major. Where training is mandatory by law, the training officer will make necessary arrangements for makeup training. Certificates will be issued to personnel completing training courses. Personnel shall forward a copy of any certificate to the training officer for the training records.

19.1.3 TRAINING COSTS AND REIMBURSEMENTS

A. The Emporia Police Department will pay for all authorized training registration fees and associated training costs (i.e., meals, lodging, books, or materials).

B. Officers will adhere to the following procedures regarding training costs and reimbursement when attending training/conference while out of City.

C. Registration

1. Once an officer receives a training letter from the Department advising them that they have been scheduled to attend training then the officer will adhere to the following procedure.

2. The training function will register all employees into the appropriate training classes or conferences. A copy of the registration form will be placed in the employees training folder.

D. Lodging

1. Any officer desiring to obtain lodging for their scheduled training must first seek prior approval from the Training Coordinator.

2. Employees will be authorized lodging if they are attending training that is ninety (90) miles from the Police Department.

3. Employees will not use their home as the starting point for their ninety (90) miles of training. The starting point will be the Police Headquarters on Budd Street.

4. Once an employee is approved to stay in a hotel/motel by the Training Coordinator, the Major will reserve and pay for their room with the Emporia Police Department's credit card.

E. Use of City Owned Vehicles

1. Officers are assigned a police vehicle and will utilize that vehicle when they are traveling to training.

2. Reimbursement for mileage on a personal vehicle must be pre-approved by the Training Officer.

3. If the Department does not authorize overnight lodging for the employee then they will use the Department vehicle to travel back and forth from the training location.

4. If the Department does authorize overnight lodging for the employee then they will only be authorized to travel over the first night and back to Emporia on the final day of training.

5. Employees who are traveling to training will be compensated for their travel time in accordance with General Order 14.1.1.C4- Compensatory Time for training.

F. Meals:

1. Per-Diem:

a. If employees desire to utilize the Per-Diem policy of the City of Emporia they must submit an expense report to the Department with receipts to verify meal purchased. Employees are reminded to stay within the limits of the City's ME&I table.

G. Claims for Reimbursement

1. All claims for reimbursement must be completed within five (5) days from the completion of travel in accordance with the City of Emporia's Expense Report.

2. All claims for reimbursement will be submitted to the Administrative Assistant to the Chief of Police who will receive approval from the Chief of Police prior to submission to the Finance Department for reimbursement.

H. Employee Responsibility and Accountability

1. Failure to adhere to this procedure could result in the employee not receiving reimbursement for training and travel and or disciplinary action.

2. It is the responsibility of the employee to submit their Partial In-Service Credit (for any training outside of our Academy) to the Training Coordinator within 5 days of completion of the training to ensure the employee receives credit through the Department of Criminal Justice Services.

19.1.4 PERFORMANCE OBJECTIVES/LESSON PLANS/TESTING PROCEDURES

A. The Department of Criminal Justice Services (DCJS) requires performance-based training during training at the Academy. All training conducted by the EPD will have specific performance objectives.

B. Performance objectives will:

1. Focus on elements of the job-task analysis for which formal training is needed.

2. Provide clear statements on what should be learned.

3. Provide the basis for evaluating students;

4. Provide the basis for evaluating the effectiveness of the training program.

C. The use of these objectives should acquaint the student with the required knowledge and skills they must demonstrate, and the circumstances under

which they should be applied. Using this approach, instructors will be able to relate the training directly to the job performance that will be expected.

D. In all training courses, lesson plans will be developed. These lesson plans will include the following:

1. A statement of performance and job-related objectives;

2. Content of training and specification of the instructional technique to be used;

3. A list of resources used in the development of the curriculum;

4. A list of resources required in the delivery of the training program;

5. Lesson plans will be reviewed and approved by the appropriate division commander, the Major and the Chief of Police;

6. The lesson plan will identify if any tests are to be completed at the end of the training session.

E. Lesson plans are required of all instructions and will be reviewed by the training officer to ensure the subject to be covered is addressed completely and accurately and is properly sequenced with other training materials. The training officer will be responsible for the approval of lesson plans. This will ensure the lesson plans are consistent with departmental guidelines and policy and state requirements.

F. In most training programs, tests will be developed to measure the students' knowledge of the performance objectives covered during the training. The testing format may be a written exam or a performance exercise. Written exams may include multiple choice, true/false, fill in the blank, and/or narrative questions. All testing will have a pass/fail cutoff score. Test development will be a cooperative effort between the instructor and the training officer. Final approval of all test questions and format will be the responsibility of the training officer.

19.1.5 REMEDIAL TRAINING

A. Remedial training is instruction utilized for improving specific deficiencies in personnel. Supervisors will normally recognize situations where individuals might require remedial training during training, during routine job performance, or inspections.

B. Training and proficiencies that are state-mandated will require remedial training if failed. Proficiencies such as firearms training, less-than lethal weapons techniques, vehicle operations skills, NCIC/VCIN entries, dispatching entries into CAD that are unsatisfactorily performed will require remedial training. Essentially, any aspect of law enforcement that

incurs liability because of a lack of proper training will require remedial training if failed by the employee.

C. Remedial training will be made available by the training officer as the need arises. Completion of the remedial training will be accomplished as soon as possible after the deficiency is observed. The employee will receive an Action Plan that will describe the deficiencies and desired actions that the employee needs to develop, along with completion date normally one month to 90 days; however, the Action Plan will require a review date prior to the final date that the remedial training needs to be completed.

D. All remedial training will be documented in the employees training folder. Personnel designated to receive remedial training are required to attend the training. Failure to attend remedial training will be reported to the Major. Disciplinary action may result.

19.1.6 TRAINING RECORDS

A. All training received by EPD personnel will be documented and maintained in training records by the training officer and the Police Academy These records will include the employee's name, course title, where and when attended, hours of instruction and test scores if applicable.

B. The training officer shall ensure that the Academy is provided all records of training received outside the Academy.

C. Training records will not be released unless approved by the Major, or the Chief of Police.

D. All training records, to include lesson plans administered within the agency shall be retained in accordance with the Library of Virginia Records Retention Schedule

19.1.7 CLASS INSTRUCTION RECORDS

A. The training officer will maintain all records and lesson plans of training conducted by the Department. These records shall include:

1. Course title, content and lesson plans;
2. Names of attendees;

3. Individual test scores (if applicable)

19.2 BASIC ACADEMY AND RECRUIT TRAINING

19.2.1 CRATER CRIMINAL JUSTICE TRAINING ACADEMY

A. The Academy is responsible for providing all state-mandated basic, in-service, and specialized training.

B. The Academy's director is appointed by the Board of Directors; comprised of chiefs, sheriffs and directors of member agencies, and is responsible for the daily operation of the Academy. The director operates the Academy within the guidelines established by the Virginia DCJS. A reference manual, promulgated by the DCJS, is the primary source for Academy policy, curriculum and standards. The director is responsible for the selection, appointment, supervision and removal of staff members and instructors. All members of the staff from member agencies fall under the director's command while assigned to the Academy.

19.2.2 POLICY AND PROCEDURE TRAINING

A. As part of the officers' field training program, each officer will receive training in both Department and City policies and procedures.

B. All additions, amendments or changes to the Department's Policies and Procedures Manual, as well as any interim changes to the Department's General Orders, directives or special orders, will be reviewed during Roll Call training with follow-up at Shift meetings, to ensure understanding and compliance.

19.2.3 TRAINING INSTRUCTORS QUALIFICATIONS

A. The Department recognizes the importance to have DCJS certified instructors to instruct in-house or occasionally instruct at Crater Criminal Justice Training Academy.

B. All EPD instructors are required to possess certification from the Virginia DCJS as an instructor. This certification includes training in the following areas:

1. Lesson Plan Development.

2. Performance Objective Development.

3. Instructional Techniques.

4. Learning Theory.
5. Testing and Evaluation Techniques.

6. Resource Availability and Use.

19.2.4 RECRUIT TRAINING

A. All police recruits are required to successfully complete an approved, State-mandated Virginia DCJS basic training course for law enforcement officers. Recruit Officers of the Emporia Police Department are required to successfully complete the Basic Law Enforcement training curriculum at the Crater Criminal Justice Training Academy.

B. No probationary police officer will be authorized to carry a firearm until they have received classroom as well as qualification on the range with their issued firearm. In addition, no probationary police officer will be authorized to exercise the powers of a police officer, to include the powers of arrest until they have successfully completed formal basic academy training.

C. All communications officers are required to successfully complete an approved, state mandated Virginia DCJS basic training course for communication officers. Recruit Communication Officers of the Emporia Police Department are required to successfully complete the Basic Communications training curriculum at the Crater Criminal Justice Training Academy or any other local training academy approved by DCJS as a back-up.

19.2.5 RECRUIT JOB TASK ANALYSIS

A. Recruit training for police officers, communication officers and animal control officers will include:

1. a curriculum based on a job task analysis of the most frequent assignments upon graduation;

2. the training will also include the use of evaluation techniques designed to measure competency in the required skills, knowledge, and abilities, such as practical exercises, written tests and field observations.

B. The Crater Criminal Justice Training Academy will provide all recruit officers with an orientation handbook at the beginning of the basic academy.

19.2.6 FIELD TRAINING OFFICER PROGRAM

A. When new officers are hired they may go through three different components of training:

1. New Hire Orientation –

a. The Emporia Police Department provides an orientation handbook to all newly entry-level employees at the time training commences. Which includes:

1. The Department's role, mission and value statements, goals and objectives, policies and procedures.

2. New personnel will be provided with the Department's Organizational Chart.

3. The Department's Rules and Regulations and working conditions

4. The Performance Evaluation System

5. Use of Force Proficiency and Qualifications for sworn personnel.

6. NCIC/VCIN training requirements for police and communications personnel.

7. Scheduling requirements for police, communications, animal control and administration.

b. Recruits will generally be hired prior to their attendance at the basic academy. If possible, the Field Training Coordinator (FTC) will ensure that recruit officers receive 40 hours of in-house training, which is an orientation of the daily operations of the Police Department.

2. Academy Training –

a. If a recruit police officer or communications officer is hired and is currently certified through a Virginia Basic Criminal Justice Training Academy, they will be assigned to a field training officer (FTO).

b. If the recruit police officer is not certified through the Virginia Department of Criminal Justice Services (DCJS), they will be required to complete the basic

academy. While at the basic academy, recruits will be instructed on the basic principles of law enforcement established by DCJS.

c. If the recruit communications officer is not certified through the Virginia Department of Criminal Justice Services (DCJS), they will be required to complete the required basic training. During basic training, recruit communication officers will be instructed on the basic principle of dispatching established by DCJS.

d. While attending the basic academy, recruit officers will be assigned a liaison from within the Police Department to ensure that their needs are being met.

e. The Field Training Coordinator (FTC) will serve as the basic academy liaison.

3. Field Training – The Emporia Police Department is committed to the development and career growth of its employees. The Field Training program is one essential component of initial training that a police officer or communications officer receives at this Department. This program has been established to ensure that recruit officers receive structured on-the-job training that will prepare them to operate as a solo police officer or a solo communications officer

B. Field Training Program Responsibilities:

1. The Major is responsible for the operation of the Field Training program.

2. The Major will assign the FTC. The FTC will be a supervisor and has extensive training and experience in field training.

3. The FTC will supervise field training FTOs who have successfully completed the Field Training Officer's School.

4. Primary FTO. This officer has the same duties and responsibilities as an FTO; however, they are more experienced in the area of field training and serve as a last resort for recruits who are not responding to training.

5. FTO. The FTO is a sworn police officer who has added supervisory responsibilities of on-the-job training for new police officers.

6. CTO. The CTO is a non-sworn communications officer who has added supervisory responsibilities of on-the-job training for new communications officers.

C. Selection of Field Training Officers:

1. FTO's and CTO's will be selected by the Major, with input from the FTC, based on the following criteria:

a. Be an experienced police officer or communications officer and be able to receive their supervisors recommendation.

b. A review of the police officer of communications officer's past performance evaluations.

c. A review of the police officer or communications officer's disciplinary record(s).

d. The police officer or communications officer must have an above average knowledge of Department policies, procedures, rules and regulations.

e. The police officer or communications officer must possess a positive attitude toward the Department.

f. The police officer or communications officer must have the ability to instruct others.

2. Training of FTO and CTO:

a. Employees who are selected as FTOs or CTO's must successfully complete an approved basic field training officer's school or communications officer training school.

b. Field Training Officers will receive in-service training at the police academy every three (3) years.

c. Communication Training Officers will receive in-service training through APCO every two years and

be required to pass the re-certification examination.

3. Compensation for Field Training Officers and Communication Training Officers

   a. Only trained FTO's and CTO's selected by the FTC will receive compensation.

   b. FTO's and CTO's will receive one (1) hour of overtime pay each day to complete the necessary field training documents required to evaluate the recruit officer.

   c. Occasionally, a recruit officer may be placed with an officer that is not FTO or CTO trained. That employee is not eligible to receive the one (1) hour of overtime compensation, because they are not performing any training or reporting duties.

D. Assignments and Rotation of Recruit Officers:

1. The FTC has the authority to assign a trained FTO or CTO with a recruit police officer or communications officer.

2. Recruit officers may have the opportunity to rotate through at least two (2) different FTOs. This will give the recruit officer an opportunity to see how different shifts and sections operate within the Department.

   a. This rotation will be accomplished at the discretion of the FTC.

3. Recruit communications officers will stay with the same CTO during their on-the-job training.

E. Full Field Training Program:

1. Non-certified recruit police officers will receive a minimum of twelve (12) weeks, or 480 hours with a maximum of sixteen (16) weeks, or 640 hours of field training from a trained FTO.

2. Non-certified recruit communications officers will receive a minimum of four (4) weeks, or 160 hours with a maximum of sixteen (16) weeks or 480 hours of on-the-job training from a trained CTO.

2. The following is a description and guidelines for the Field Training/Communications Training program:

   a. The Field Training/Communications Training Program is on-the-job training where officers utilize the knowledge they have received in the basic academy and apply it to field operations in the effort to become solo police officers or communication to become a solo dispatcher. The Emporia Police Department has structured the Field Training/Communications Training program into three (3) distinct phases: (1) Observation, (2) Assisted Patrol, and (3) Solo Evaluation. During each phase, the recruit officer will be evaluated by the guidelines dictated in the Field Training/Communications Manual.

   b. The FTO/CTO must be able to objectively evaluate the recruit police officer or communications officer's behavior and performance, and address any problems and shortcomings in an open manner. The FTO/CTO has the authority to correct unsatisfactory performance.

   c. The FTO/CTO should discuss strengths and weaknesses of the recruit police officer or communications officer's behavior and performance. The FTO/CTO should ask for feedback from the Recruit police officer or communications officer and respond to any need observed to strengthen their communication.

   d. The standards utilized in this program should be applied to the recruit police officer with respect to having no prior police experience or formal police science education or the communications officer with respect to having no prior communications experience. The recruit police officer or communications officer should not be judged against his/her peer group.

   e. Discussion between the FTO/CTO, FTC and Major should be as candid and open as possible to eliminate personal bias and deal with the evaluation process fairly.

   f. If bias becomes apparent, the FTO/CTO should

discuss this with the FTC. Such problems should be handled as openly as possible to prevent misunderstandings and resentment. It is well known that some personalities are simply not compatible under given circumstances. This must be overcome to ensure fair and equal treatment to the recruit officer.

g. In the implementation of this program, it is apparent that the utilization of standardized guidelines is essential. The adoption of such guidelines has not been done without considerable thought and review.

h. The application of standards requires that those enforcing such standards be well above them. The standardized guidelines utilized in this program are to be applied to the recruit officer's performance and behavior in respect to experience in law enforcement as if he/she had no prior experience. Further, the recruit officer's performance, while in the program, is subject to evaluation. The additional stress that may be created should be considered in judging the recruit officer's performance.

3. The following documentation shall be completed by the designated personnel for all recruit police officers and communications officers:

a. Field Training Manual. This manual is the guiding force behind the Department's Field Training program. It serves as a written directive for field training as a guide to ensure all areas of policy, procedure, rules and regulations required of a recruit police officer and communications officer are complied with.

b. Daily Observation Report. This is a daily evaluation report, based off of standards in the Field Training Manual, completed by the FTO/CTO and filed in the manual.

c. Weekly Evaluation Form. This is an evaluation completed by the FTO/CTO and signed off on by the Field Training Coordinator and the Major. The form will then be filed in the Field Training Manual.

d. End of Phase Report. This is an evaluation that is

completed at the end of each of the three phases. The FTO/CTO submits this evaluation to the FTC, who makes a decision whether the recruit police officer or communications officer will proceed to the next phase of field training.

e. Documented Evaluations of Field Training and Communications Training.

(1) The department will receive feedback from the Field Training or Communications Training Officer on the effectiveness of the field training/on-the-job training program.

(2) The recruit police officer or recruit communications officer will submit an evaluation of the field training or on-the-job training program to evaluate the Field Training Officer or Communications Training Officer's effectiveness as a trainer.

(3) The Field Training Coordinator will conduct an evaluation and review of the Field Training Officer and Communications Training Officer to evaluate their performance as a trainer.

(4) There will no written testing during field training or on-the-job training; however, recruit police officers and communication officers will have their level of learning measured through testing during their basic training administered at the police academy.

(5) The police academy provides recruit police and communication officers the results of their written examinations and testing as an identification of results or tangible consequences of training.

F. Modified Field Training Program.

1. Police Officers and Communications Officers with prior law enforcement experience will enter into a modified field training program.

2. This program will consist of the same areas to be covered

as a new recruit officer in field training.

3. Police Officers will be in the modified field training program for a minimum of two (2) weeks or 80 hours or as long as the field training officer determines that the certified police officer needs to perform in a solo capacity and the completion of the mastery checklist.

4. Communications Officer will be in the modified on-the-job training program for a minimum of one (1) week or 40 hours or as long as the communications training officer determines that the certified communications office need to perform in a solo capacity and complete the mastery checklist.

4. All evaluations will be maintained in the officer's training folder, which is maintained in the office of the Administrative Assistant.

G. Termination of Employment for Training Deficiencies. There are those situations where a recruit officer is not progressing as necessary and it becomes apparent that steps must be taken to evaluate and use remedial training, or, if the situation warrants, terminate that individual's employment.

1. If at any time during a recruit police officer or communications officer's field training, the FTO/CTO determines that he/she is not progressing and/or responding to training in any particular area, the FTO/CTO shall complete a Failure to Respond to Training Form to the FTC to document these deficiencies, which will be forwarded through the chain of command. The FTO/CTO will develop an action plan to correct the noted deficiencies. If the FTO/CTO is not successful in correcting the recruit police officer or communications officer's deficiencies, he/she will notify the FTC, who will assign the recruit police officer or recruit communications officer to a Primary FTO (PFTO) or the communications supervisor for evaluation and remedial training.

    a. Although the FTO/CTO is encouraged to continually keep the recruit police officer or communications officer apprised of his/her performance, it is not the FTO's/CTO's role to notify the recruit officer of his/her impending termination even though the FTO/CTO recommends such action be taken.

2. During this evaluation/remedial training period, the PFTO

or communications supervisor along with the FTC, will determine if the recruit police officer or communications officer is making appropriate progress. The PFTO or communications supervisor will submit a memorandum to the FTC summarizing the recruit police officer or communications officer's performance and include conclusions regarding the retention or dismissal of the individual, which will reflect both positive and negative aspects of the recruit officer's performance. Additionally, the PFTO or communications supervisor will include his/her endorsement that the recruit police officer or communications officer successfully completed remedial training, or, a recommendation to terminate that individual's employment.

3. The FTC will forward the memorandum through the chain of command, including his/her formal recommendation, to the Chief of Police.

4. The final decision whether to terminate a recruit police officer or communications officer's employment with the City of Emporia rests with the Chief of Police in consultation with the City Manager.

    a. The FTC, along with the Major, is responsible for notifying the recruit police officer or communications officer of the intention to recommend his/her termination from the Department.

19.3 IN-SERVICE, ROLL CALL AND ADVANCED TRAINING

19.3.1 IN-SERVICE TRAINING

A. DCJS Required In-Service Training

1. All officers of the EPD will, at a minimum, attend a 40-hour in-service classes on a biennial basis as mandated by the state. A 4-hour block of legal instruction, 2-hour cultural diversity, and 34-hours career development during in-service training. On an annual basis the training officer will disseminate information, regarding training offered by the Crater Criminal Justice Training Academy, the City of Emporia, and other available outside agencies. Officers may submit requests for schools through the chain of command. These requests may be from the offered lists or from other sources. A short justification narrative should accompany the request. If no request is received, the training officer shall assign in-service schools at the training officer's discretion.

B. In-House Annual Police and Communications Training

1. In addition to the required 40-hour DCJS required in-service training the Emporia Police Department requires all Police Department employees to include Police, Communications and Administrative employees to complete the following training:

a. Required Annually:

(1) Legal and Legislative updates
(2) Biased-based policing
(3) Hazardous Material Awareness
(4) All Hazard Plan
(5) Use of Force-Lethal and Less-than-Lethal
(6) Ethics
(7) Mental Health Awareness
(8) Accreditation

b. Topics suited for In-House training sessions include, but are not limited to:

(1) Departmental policies and procedures with focus on any changes in the about categories.
(2) Statutory or case law affecting law enforcement operations with emphasis on changes.
(3) Function of agencies in local criminal justice system.
(4) Exercise of discretion in the decision to involve the criminal justice process.

(5) Interview and Interrogation techniques.
(6) Use of Force
(7) Emergency medical services
(8) Emergency Fire suppression
(9) Performance evaluations-process and purpose
(10) Hazardous Materials incidents
(11) Contingency plans for special operations and unusual occurrences.
(12) Crime prevention policies and procedures
(13) Collection and preservation of evidence
(14) Report writing and records system procedures and requirements
(15) Search and Seizure
(16) Domestic Violence
(17) Criminal Intelligence
(18) Bias-Based Policing
(19) Ethics

c. Proficiency In-Service Training

(1) Employees are required to participate in proficiency in-service training that is a prerequisite for the job being performed. At least annually, all sworn and non-sworn personnel shall receive legal and legislative update training, training in areas of high liability and training in other areas of concern as determined by the Chief of Police.

(2) Proficiency in-service training is a component of the career development program and is provided to keep personnel current on the duties and responsibilities of the job to which they are assigned.

(3) The Emporia Police Department provides proficiency in-service training in order to:

(a) Keep employees up to date on the duties and responsibilities of the job presently being performed.

(b) Enhance the employee's skills beyond the minimum level required.

(c) Increase the employee's potential for career development.

(d) Update employees on legal issues, court rulings, legislative updates, current police and communications practices and advancing technology.

19.3.2 ROLL-CALL TRAINING

A. Roll Call is a useful tool for accomplishing assigned training programs and supervisors are responsible for utilization of those opportunities. The training officer will plan Roll Call training for the Department.

B. Roll Call Training can be accomplished through the Power DMS Software program.

C. The training officer will have officers of the department prepare and submit for approval a lesson plan addressing a topic approved by the Major. Lesson plans from the officers will be prepared and submitted at the request of the training officer. These plans, once approved, shall be utilized by the officer to conduct roll call training.

D. Lesson plans will be submitted for the anticipated training.

E. The training officer will conduct an annual evaluation of the Department's Roll Call training. The evaluation will assist him/her in recognizing needs or inadequacies.

F. In addition to promoting a better understanding of the Regulations and *General Orders Manual*, Roll Call training shall be used to train in the understanding of new laws, technological improvements, and current related subjects as needed.

19.3.3 ACCREDITATION TRAINING

A. Maintaining accreditation requires constant awareness of and continued education about the accreditation process. Due to the specialized knowledge required, the Department's accreditation manager will be trained by and/or through CALEA within 12 months of appointment to the position, observing all required timeliness and essential elements. In turn, he or she will be responsible for familiarizing EPD personnel with accreditation. Specific responsibilities shall include providing instruction to:

1. New personnel.
2. All personnel during the time when the Department is in the self-assessment phase associated with achieving initial accreditation.

3. All departmental personnel prior to an on-site assessment for re-accreditation.

B. The instruction provided shall familiarize personnel with the following:

1. Accreditation and the self-assessment process.

2. History and background of accreditation.

3. Goals and objectives of accreditation.

4. Advantages of accreditation and the impact on the Department

19.4 SPECIALIZED IN-SERVICE TRAINING

19.4.1 SPECIALIZED TRAINING POSITIONS

A. Many functions within the Department require specialized training either prior to assignment or as part of continued training within the assignment. Training may be required of personnel assigned to specific functions and should be initiated within 30 days of the assignment of the personnel to that function. Personnel assigned to specialized activities shall be aware of their administrative requirements and their relationships to other sections of the Department.

B. Functions that require specialized training prior to assignment include but may not be limited to:

1. Radar Operator.
2. Firearms/Range Instructor.
3. Evidence Technician.
4. Departmental Instructor.
5. Field Training Officer
6. Armorer
7. Bicycle Patrol Officer
8. K-9 Officer
9. Accreditation Manager
10. Public Information Officer

C. Functions that require specialized training after assignment include but may not be limited to:

1. Supervisory Positions.
2. Internal Affairs Investigator.
3. Property/Evidence Custodian.
4. Training Officer.
5. General Detective.
6. Narcotics Detective.
7. Community Policing Officer.

D. Specialized training is provided by various academies and agencies. Course descriptions, certification requirements and guidelines can be obtained from the relevant academy/agency as well as re-certification/re-training requirements. At a minimum, specialized training will include:

1. Development or enhancement of the skills, knowledge and abilities particular to the specialization as determined by a job task analysis.

2. Management, administration, supervision, personnel policies and support services of the function.

3. Supervised on-the-job training.

E. The training officer will maintain an inventory of the career specialties within the Department. A career specialty is an area of interest and specialization that enhances the upward mobility and/or job satisfaction of an employee. Specialty functions within the Department include:

1. Community Policing Officer.
2. General Detective.
3. Narcotics Detective.
4. K-9 Officer
5. Evidence Technician.
6. Range-Firearms Instructor.
7. Armorer.
8. Field Training Instructor.
9. Intoxilyzer Operator.
10. Accreditation Manager

F. Career specialties, such as those listed above, will be provided with appropriate training opportunities that will enhance the skills, knowledge and abilities required for a specialized function. This training will be provided prior to assignment or as continued training within the assignment.

G. Advanced Training - Advanced training is the type of training provided by various organizations throughout the United States, focused for officers that have a career track in administration. This training is designed to improve the professional competence of officers who have demonstrated leadership capabilities. The Chief of Police will select candidate for advanced training depending on the needs of the Department.

19.5 CIVILIAN TRAINING

19.5.1 CIVILIAN ORIENTATION

A. All new civilian employees will be presented an orientation program by the Human Resource Department introducing them to the City of Emporia and the EPD. This will include:

1. The Department's role, purpose, goals, policies and procedures.

2. Working conditions, rules and regulations.

3. The rights and responsibilities of employees

4. Benefits and leave policies

19.5.2 CIVILIAN TRAINING

A. The training officer will be responsible that civilian employees are trained in their duty assignment within the Department. All civilian personnel will be provided the opportunity to participate in all training programs sponsored by the City of Emporia, or the Crater Criminal Justice Training Academy. Training requests must be approved by the employee's supervisor and forwarded to the training officer. Once the civilian employee is initially trained, there will be opportunities for further training.

B. Civilian Positions requiring training include:

1. Administrative Services Manager;

2. Communications Officers;

3. Records Technician;

4. Administrative Assistant;

5. Animal Control Officer;

6. Shelter Attendant.

C. All civilian employees will receive refresher training dealing with subjects with mental illness on an annual basis.

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B. Civilian Positions requiring training include:

1. Communications Officers;

2. Records Technician;

3. Administrative Assistant;

4. Animal Control Officer.

C. All civilian employees will receive refresher training dealing with subjects with mental illness on an annual basis.

19.6 CAREER DEVELOPMENT

19.6.1 CAREER DEVELOPMENT-GENERAL

A. All supervisors will have orientation training, during the first line supervising training, in career development that will provide increased knowledge and skills to conduct career development activities.

B. The training officer will conduct career development counseling for personnel in addition to the supervisory counseling. The training officer will be trained in the following areas:

1. General Counseling techniques.

2. Skills, Knowledge and Abilities Assessment techniques.

3. Salary, benefits and training opportunities within the Department.

4. Educational opportunities and incentive programs.

5. Awareness in cultural backgrounds of ethnic groups in the program.

6. Record keeping techniques.

7. Career development programs of other departments.

8. Availability of outside resources.

C. It is the policy of the EPD that personnel shall receive counseling and assistance in choosing, preparing, entering or progressing in a job assignment or job specialty. The goal of this career counseling process is to provide opportunities for individual growth and development at all levels to promote productive, efficient and effective job performance and improve the level of job satisfaction. Career counseling is a component of the Department's Career Development Program.

D. The Career Development Program fosters the improvement of personal skills, knowledge, and abilities of all personnel in order to successfully meet Department tasks. The program ensures that all personnel have equal access to training and development opportunities relevant to their job assignment and/or classification. The aim of career development is to highlight specific opportunities for individual growth, and to improve job satisfaction and

performance. The Department utilizes the Career Development Program to further the professional growth and capabilities of the employee's current and future job role.

E. The structure of the Career Development Program is based on career counseling and in- service training. Career counseling involving the interaction of the training officer, supervisor, and employee, offers guidance that may assist an employee in choosing, preparing, entering, or progressing in a job assignment. Career counseling identifies three elements:

1. The skills, knowledge and abilities of each employee relative to present and future job assignments.

2. In-service training requirements.

3. The extent to which training fulfills the employee's and the Department's expectations.

F. In-service training is designed to maintain and enhance the skills, knowledge and abilities needed to perform the duties and responsibilities of the assigned job. Career specialty in- service training should stimulate personnel to improve their skills, knowledge and abilities to perform specialized job tasks and should improve personnel in areas that will enhance their potential for upward mobility. The Major is the administrator of the Career Development Program and will operate under the guidance and direction of the Chief of Police.

G. In general, objectives of the Career Development Program are as follows:

1. Employees will meet at least annually with their immediate supervisor.

2. In-service training will be provided covering a wide range of topics.

3. All employees will be eligible for in-service training.

4. The Career Development Program shall not discriminate against any employee based upon race, color, religion, sex, national origin, age, marital status, ethnic heritage or veteran status.

H. The Career Development Program will be evaluated by the Chief of Police and revised, if necessary.

I. The training officer will maintain an inventory of course for every officer.

19.6.2 PUBLIC SAFETY CAREER DEVELOPMENT PROGRAM (CDP)

A. GENERAL INFORMATION

1. The Career Development Program (CDP) is a voluntary program limited to full-time, non-supervisory officers. Career development is a crucial element to the retention of employees working for the Emporia Police Department. Training is the foundation of that development, whether it is basic, in-service or specialized training. The CDP includes multiple levels of professional progression for sworn police officers and communications officers from Recruit to Master Officer. As the participating employee demonstrates increased training, seniority, and value to the community, the program provides opportunities for advanced responsibility and pay, based on resource availability. The program supports on-going learning and development prior to or in lieu of seeking promotion to supervisory roles.

2. Advancements through the CDP are not guaranteed, are not considered promotions, and are limited to one advancement per fiscal year. Upon demonstrating completion of all eligibility criteria and approval by the Police Chief, the employee may progress to the approved level without competition and depending on the level achieved, will be awarded an in-grade pay adjustment or advancement to a new grade, as defined in the plan. The CDP recognizes several factors:

    a. Longevity with the Emporia Police Department as a sworn officer or within communications.

    b. Acceptable or better performance

    c. Police and communications training and involvement in specialty areas

    d. Contributions within the community

3. There are no limits on the number of employees at each level of the CDP. However, progression decisions may be impacted by the department’s approved budget.

4. Once an employee reaches a specific career development position, they will remain at that level until they meet the requirements for, request advancement and are appointed to the next CDP level by the Police Chief or are assigned to a lower level based upon documented poor performance, or an unwillingness to participate in community involvement or due to founded misconduct. CDP applicants and/or participants must fully meet the minimum standards expected of their position.

5. Employees must continue to actively use the development skills attained and such use will normally be documented in training folders, performance evaluations and operational reports.

6. Employees in the Police Department shall be provided a copy of the program.

7. Information sessions and training will be offered to all officers.

B. PROCESS

1. An employee who believes they are qualified for advancement to the next career development level must initiate and complete a request using a form approved by the Police Chief.

2. Requests may be submitted four (4) times per year, at the beginning of each quarter. Quarterly application deadlines are January 5, April 5, July 5 and September 5. One level of advancement is allowed each fiscal year (July 1 – June 30)

3. The request must be submitted to the first line supervisor and will be forwarded through the chain of command to the Police Chief.

4. Each level of the chain of command shall either approve the request and forward to the next level or disapprove the request and return to the previous level with specific reasons for the disapproval. Each level of the chain of command will have five (5) business days to process the request.

5. The Police Chief will approve or disapprove the request and notify the employee within five (5) business days after receiving the request for progression.

6. In the event a request is denied, an appeal may be initiated by the employee as follows:

a. A disapproval at any level of the chain of command below the Police Chief may be appealed to the Police Chief.

b. A disapproval by the Police Chief may be appealed to the City Manager.

7. The Police Officer CDP includes the following levels of Police Officer progression opportunities:

   a. Recruit (Uncertified Officer)

   b. Police Officer I (Certified Officer)

   c. Police Officer/Detective II

   d. Police Officer/Detective III

   e. Master Police Officer/Detective

8. The Communications Officer CDP includes the following levels of Communications Officer progression opportunities:

   a. Communications Officer

   b. Communications Officer I

   c. Communications Officer II

   d. Communications Officer III

   e. Master Communications Officer

9. Pay actions will be determined by the placement and advancement will include 5% for each level achieved.

C. POLICE OFFICER CAREER DEVELOPMENT PROGRAM

1. Eligibility for Progression to Police Officer I (PO 1)

   a. A Police Recruit who successfully completes the Basic Academy and appropriate field training will, upon approval of the Police Chief, advance to Police Officer I.

b. Request for Consideration

(1) The officer, upon successful completion of field training, may request, through their chain of command, advancement to Police Officer I.

(2) The request must include the date of completion of the requirements and must be signed by the training officer.

c. Compensation

(1) Upon written approval of the Police Chief, the employee will typically be eligible to receive a 5% increase in pay and advance in title to Police Officer I, Grade 20, effective the beginning of the next pay period.

2. Eligibility Criteria for Selection as or Progression to Police Officer II (PO 2)

a. A Police Officer I who demonstrates the following requirements may request progression to Police Officer II.

(1) General knowledge of police methods, practices and procedures, including acceptable or better performance in all the duties of a Police Officer I.

(2) Supervisor’s documentation verifying proficiency as a Solo Police Officer.

(3) Attained at least two (2) career development skill areas.

(4) Documented constructive, active community engagement through on-duty assignments and proactive/voluntary requests.

(5) Must have served as a Police Officer I and completed two (2) years of service from the Academy graduation date. .

b. Request for Consideration

(1) Upon successfully demonstrating the requirements listed in 2.b, the Officer may request progression to Police Officer II by submitting appropriate documentation to the Police Chief through their chain of command.

(2) The submission must outline the completion of the requirements and must be signed by the Officer's immediate supervisor.

c. Compensation

(1) Upon written approval of the Police Chief, the employee will receive a 5% increase in pay and advance in title to Police Officer II, effective the beginning of the next pay period.

3. Eligibility Criteria for Progression to Police Officer III (PO3)

a. A Police Officer II who demonstrates the following requirements may request progression to Police Officer III.

(1) Acceptable or better performance in all the duties of a Police Officer II.

(2) Attained at least three (3) career development skill areas.

(3) Documented constructive, active community engagement through on-duty assignments and proactive/voluntary requests.

(4) Must have served as a Police Officer II and completed three (3) years of service from the Academy graduation date or date of hire, if originally hired as a Virginia DCJS Certified Officer.

b. Request for Consideration

(1) Upon successfully demonstrating the requirements listed above, the Officer may

request progression to Police Officer III by submitting a letter or memo to the Police Chief through their chain of command.

(2) The submission must outline the completion of the requirements and must be signed by the Officer's immediate supervisor.

c. Compensation

(1) Upon written approval of the Police Chief, the employee will typically be eligible to receive a 5% increase in pay and advance in title to Police Officer III, effective the beginning of the next pay period.

4. Eligibility Criteria for Progress to Master Police Officer (MPO)

a. A Police Officer III who demonstrates the following requirements may request progression to Master Police Officer.

(1) Acceptable or better performance in all the duties of a Police Officer III.

(2) Attained at least four (4) career development skill areas.

(3) Documented constructive, active community engagement through on-duty assignments and proactive/voluntary requests.

(4) Served as a Police Officer II and III and completed five (5) years of service from the Academy graduation date or date of hire, if originally hired as a Virginia DCJS Certified Officer.

b. Request for Consideration

(1) Upon successfully demonstrating the requirements listed above, the Officer may request progression to Master Police Officer by submitting appropriate documentation to the Police Chief through their chain of command.

(2) The submission must outline the completion of the requirements and must be signed by the Officer's immediate supervisor.

c. Compensation

(1) Upon written approval of the Police Chief, the employee will typically be eligible to receive a 5% increase in pay or to the minimum of Grade 21, whichever is higher, and advance in title to Master Police, effective the beginning of the next pay period

d. Master Police Officer Responsibilities:

(1) Provide guidance and direction to co-workers in the performance of their duties.

(2) Provide instructional support within assigned section.

(3) Conduct group presentations to schools, civic organizations or community groups.

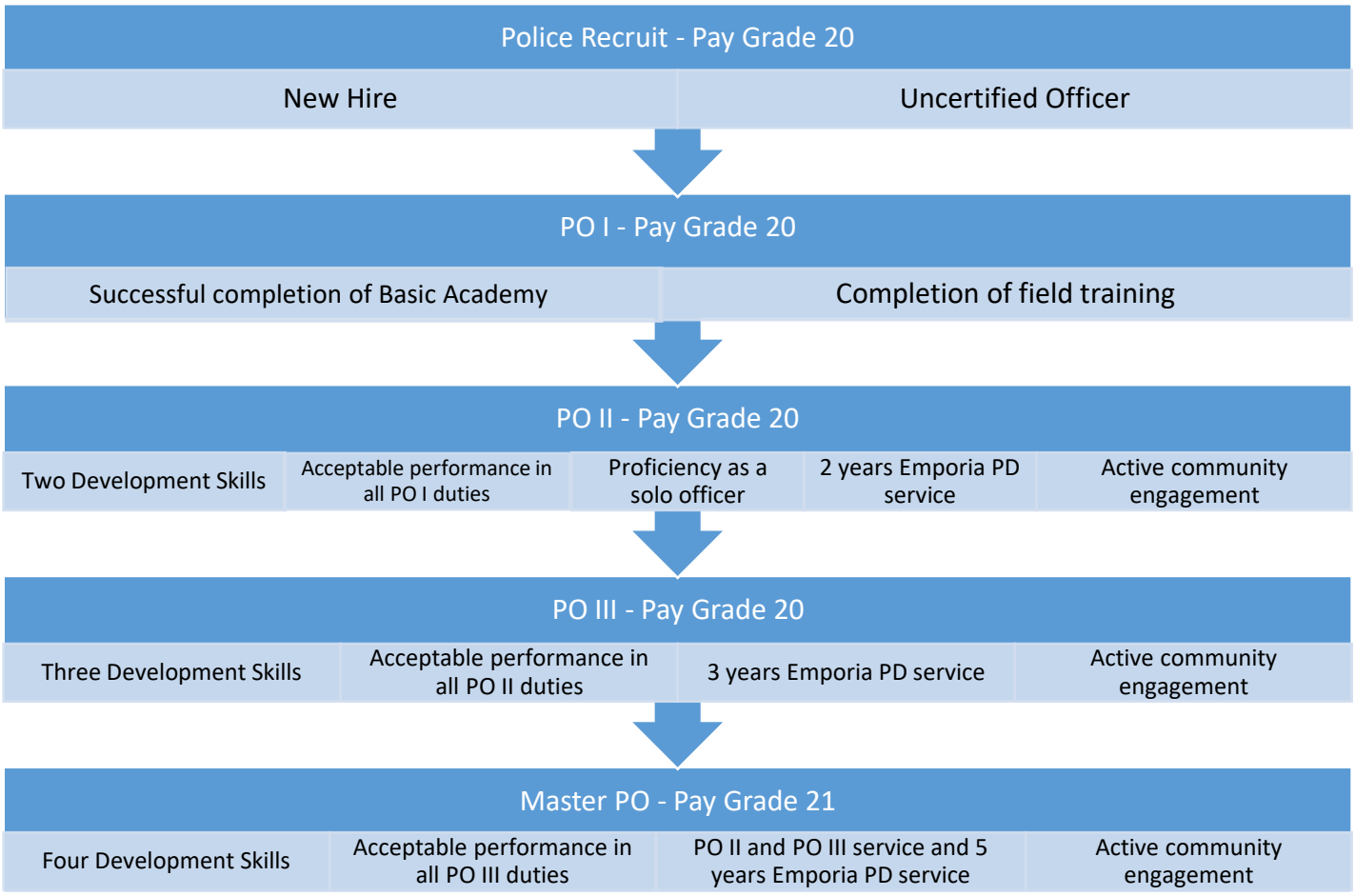
(4) Serve on Department committees and/or focus groups.

(5) Respond to major incidents and oversee scene activities as directed by a supervisor.

5. Promotion to a supervisory role

In the event an employee participates in a competitive recruitment process and is selected for a supervisory role, their participation in the CDP will end and their compensation for the supervisory position will be determined on a case-by-case basis. In no instance will the new rate be less than the amount currently being awarded.

Police Officer Career Development Plan Summary



D. COMMUNICATIONS OFFICER CAREER DEVELOPMENT PROGRAM

1. Eligibility for Progression to Communications Officer I (CO 1)

    a. A newly hired Communications Officer who successfully completes the Basic Communications Training and is assigned in a solo capacity will, upon approval of the Police Chief, advance to Communications Officer I.

    b. Request for Consideration

        (1) The officer, upon successful completion of training and assignment in a solo capacity, may request advancement to Communications Officer I by submitting appropriate documentation to the Police Chief.

        (2) The request must include the date of completion of the requirements and must be signed by the training officer.

    c. Compensation:

        (1) Upon written approval of the Police Chief, the employee will typically be eligible to receive a 5% increase in pay and advance in title to Communications Officer I, effective the beginning of the next pay period.

2. Eligibility Criteria for Progression to Communications Officer II (CO 2)

    a. A Communications Officer I who demonstrates the following requirements may request progression to Communications Officer II.

        (1) Demonstrates general knowledge of communications methods, practices and procedures.

        (2) Supervisor confirmation of proficiency as a Communications Officer and able to perform all the duties of a Communications Officer I.

(3) Attained at least two (2) career development skill areas.

(4) Documented constructive, active community engagement through on-duty assignments and proactive/voluntary requests.

(5) Must have served as a Communications Officer I and completed two (2) years of service from the completion of training.

b. Request for Consideration

(1) Upon successfully demonstrating the requirements listed in 2 b, above, the Officer may request progression to Communications Officer II by appropriate documentation to the Police Chief through their chain of command.

(2) The submission must outline the completion of the requirements and must be signed by the Officer's immediate supervisor.

c. Compensation

(1) Upon written approval of the Police Chief, the employee will typically be eligible to receive a 5% increase in pay and advance in title to Communications Officer II, effective the beginning of the next pay period.

3. Eligibility Criteria for Progression to Communications Officer III (CO-3)

a. A Communications Officer II who demonstrates the following requirements may request progression to Communications Officer III.

(1) Acceptable or better performance in all the duties of a Communications Officer II.

(2) Attained at least three (3) career development skill areas.

(3) Documented constructive, active community

engagement through on-duty assignments and proactive/voluntary requests.

(4) Must have served as a Communications Officer II and completed three (3) years of service from the completion date of basic training date or date of hire, if originally hired as an experienced Communications Officer.

b. Request for Consideration

(1) Upon successfully demonstrating the requirements listed above, the Officer may request progression to Communications Officer III by submitting appropriate documentation to the Police Chief through their chain of command.

(2) The submission must outline the completion of the requirements and must be signed by the Officer's immediate supervisor.

c. Compensation

(1) Upon written approval of the Police Chief, the employee will typically be eligible to receive a 5% increase in pay and advance in title to Communications Officer III, effective the beginning of the next pay period.

4. Eligibility Criteria for Progress to Master Communications Officer (MCO)

a. A Communications Officer III who demonstrates the following requirements may request progression to Master Communications Officer.

(1) Acceptable or better performance in all the duties of a Communications Officer III.

(2) Attained at least four (4) career development skill areas.

(3) Documented constructive, active community engagement through on-duty assignments and proactive/ voluntary requests.

(4) Served as a Communications Officer II and III and completed five (5) years of service from the training completion date or date of hire, if originally hired as an experienced Communications Officer.

b. Request for Consideration

(1) Upon successfully demonstrating the requirements listed above, the Officer may request progression to Master Communications Officer by submitting appropriate documentation to the Police Chief through their chain of command.

(2) The submission must outline the completion of the requirements and must be signed by the Officer's immediate supervisor.

c. Compensation

(1) Upon written approval of the Police Chief, the employee will receive a 5% increase in pay or to the minimum of Grade 15, whichever is higher, and advance in title to Master Communications, effective the beginning of the next pay period.

d. Master Communication Officer Responsibilities

(1) Provide guidance and direction to co-workers in the performance of their duties.

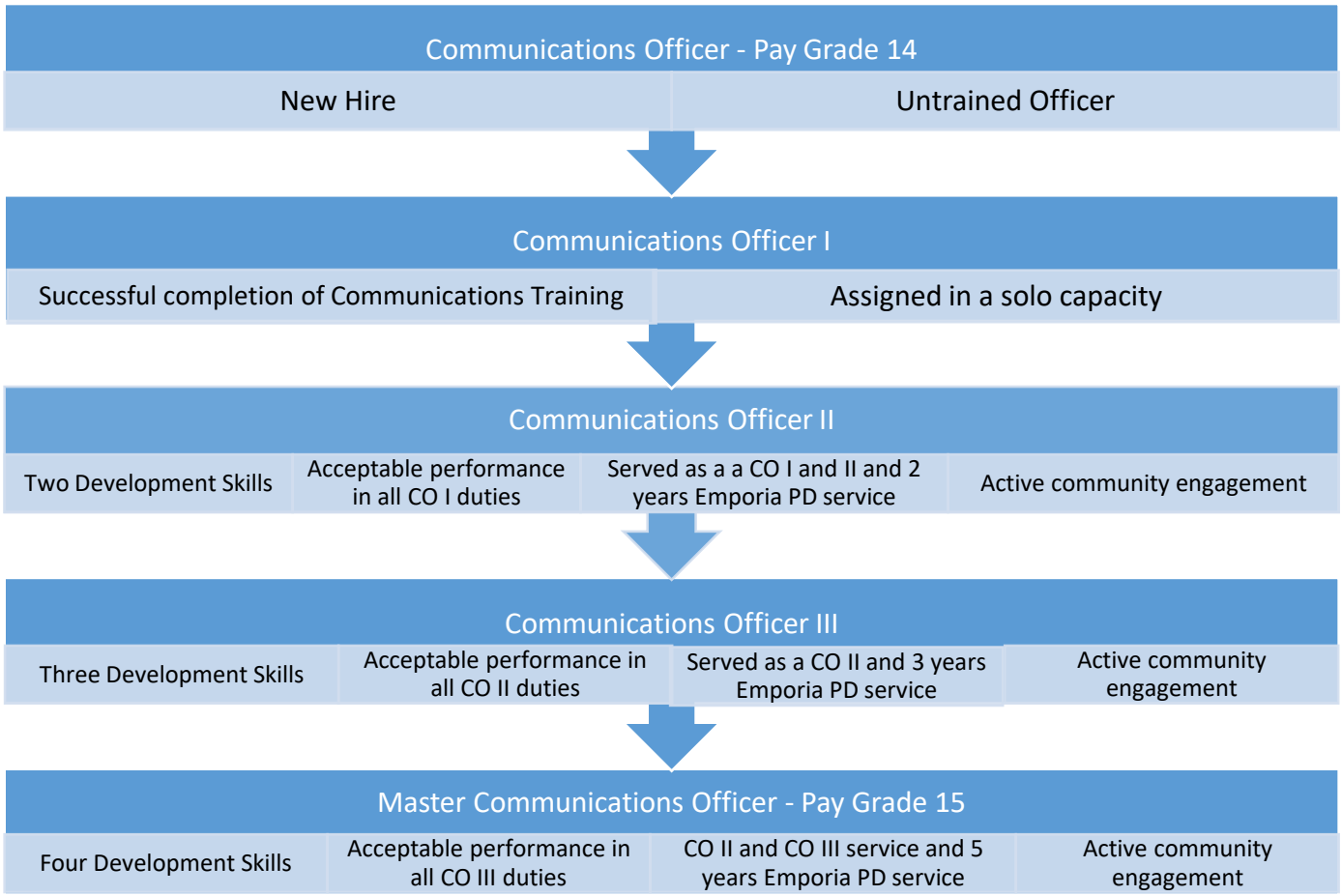
(2) Provide instructional support within assigned section.

(3) Conduct group presentations to schools, civic organizations or community groups.

(4) Serve on Department committees and/or focus groups.

(5) Respond to major incidents and oversee scene activities as directed by a supervisor.

Communications Officer Career Development Plan Summary



19.6.3 TRAINING UPON PROMOTION

A. As personnel are promoted, the skills necessary to perform at a given level may change to require supervisory, management and administrative skills and knowledge. The Major will ensure that training is provided for newly promoted personnel within a reasonable period of time from their effective promotion date.

APPENDICES

Appendix A is a visual chart of skill and knowledge areas that employees should be proficient or trained in when they reach the appropriate career development level.

APPENDIX A:

CAREER DEVELOPMENT SKILL AREAS/ACTIVITIES

CAREER DEVELOPMENT SPECIALIZATION TRACK		
PATROL SPECIALTY**	**INVESTIGATIONS SPECIALTY****	**COMMUNICATIONS SPECIALTY****
Field Training Officer	Forensic Science Academy	Communications Training Officer
Field Training Officer Instructor	Homicide Specialist	Communications Training Officer Instructor
General Instructor	General Instructor	General Instructor
Crime Prevention Specialist	Computer Crimes Specialist	Tactical Dispatch
Foreign Language Skills	Foreign Language Skills	Foreign Language Skills
Physical Fitness Instructor	Physical Fitness Instructor	Physical Fitness Instructor
Public Information Officer	Public Information Officer	Public Information Officer
Accident Reconstructionist	Financial Crime Specialist	Quality Assurance Officer
Armorer	Armorer	
Commercial Motor Vehicle Specialist	MDT/ Child Sexual Assault Investigations	
EMT/Paramedic	EMT/Paramedic	EMT/Paramedic
Crisis Intervention	Crisis Intervention	Crisis Intervention
Advanced Interview and Interrogations	Advanced Interview and Interrogations	
Evidence Collection Technician		
Crossed Trained as a Communications Officer		

****The above specialization track is not meant to be all inclusive but examples of what some specialization training may be. The Police Department may limit the number of employees training for and holding each specialty to meet needs and to ensure equitable distribution of opportunity.***

19.6 CAREER DEVELOPMENT

19.6.1 CAREER DEVELOPMENT PROGRAM

A. All supervisors will have orientation training, during the first line supervising training, in career development that will provide increased knowledge and skills to conduct career development activities.

B. The training officer will conduct career development counseling for personnel in addition to the supervisory counseling. The training officer will be trained in the following areas:

1. General Counseling techniques.

2. Skills, Knowledge and Abilities Assessment techniques.

3. Salary, benefits and training opportunities within the Department.

4. Educational opportunities and incentive programs.

5. Awareness in cultural backgrounds of ethnic groups in the program.

6. Record keeping techniques.

7. Career development programs of other departments.

8. Availability of outside resources.

C. It is the policy of the EPD that personnel shall receive counseling and assistance in choosing, preparing, entering or progressing in a job assignment or job specialty. The goal of this career counseling process is to provide opportunities for individual growth and development at all levels to promote productive, efficient and effective job performance and improve the level of job satisfaction. Career counseling is a component of the Department's Career Development Program.

D. The Career Development Program fosters the improvement of personal skills, knowledge, and abilities of all personnel in order to successfully meet Department tasks. The program ensures that all personnel have equal access to training and development opportunities relevant to their job assignment and/or classification. The aim of career development is to highlight specific opportunities

for individual growth, and to improve job satisfaction and performance. The Department utilizes the Career Development Program to further the professional growth and capabilities of the employee's current and future job role.

E. The structure of the Career Development Program is based on career counseling and in- service training. Career counseling involving the interaction of the training officer, supervisor, and employee, offers guidance that may assist an employee in choosing, preparing, entering, or progressing in a job assignment. Career counseling identifies three elements:

1. The skills, knowledge and abilities of each employee relative to present and future job assignments.

2. In-service training requirements.

3. The extent to which training fulfills the employee's and the Department's expectations.

F. In-service training is designed to maintain and enhance the skills, knowledge and abilities needed to perform the duties and responsibilities of the assigned job. Career specialty in- service training should stimulate personnel to improve their skills, knowledge and abilities to perform specialized job tasks and should improve personnel in areas that will enhance their potential for upward mobility. The Major is the administrator of the Career Development Program and will operate under the guidance and direction of the Chief of Police.

G. In general, objectives of the Career Development Program are as follows:

1. Employees will meet at least annually with their immediate supervisor.

2. In-service training will be provided covering a wide range of topics.

3. All employees will be eligible for in-service training.

4. The Career Development Program shall not discriminate against any employee based upon race, color, religion, sex, national origin, age, marital status, ethnic heritage or veteran status.

H. The Career Development Program will be evaluated by the Chief of Police and revised, if necessary.

I. The training officer will maintain an inventory of course for every officer.

19.6.2 TRAINING UPON PROMOTION

A. As personnel are promoted, the skills necessary to perform at a given level may change to require supervisory, management and administrative skills and knowledge. The Major will ensure that training is provided for newly promoted personnel within a reasonable period of time from their effective promotion date.

20.1 PROMOTIONAL PROCESS

20.1.1 DEPARTMENTAL PURPOSE

A. The EPD strives to develop and nurture its employees and to assist them in their personal growth and development. To this end, the Department provides for a structured promotional process through which employees, as they are able to assume greater levels of responsibility, may advance within their career with the Department

20.1.2 DEPARTMENTAL RESPONSIBILITY

A. The Chief of Police is vested with the ultimate authority and responsibility for administering the Emporia Police Department promotional process.

B. The Chief of Police will make recommendations for promotion with the approval of the City Manager for all positions of higher authority and responsibility.

C. The Chief of Police or his/her designee will be responsible for coordinating the promotional process administered to candidates for sworn and non-sworn positions with the Department.

20.1.3 JOB-RELATED AND NON-DISCRIMINATORY TESTING PROCESS

A. The Emporia Police Department will promote persons for all job vacancies without regard to race, color, religion, sex, national origin, age, handicapped status, or any other non-merit factor.

B. The Emporia Police Department promotional processes shall satisfy professional, legal and administrative requirements to ensure that all elements used to evaluate candidates for promotion are job related and non-discriminatory.

20.1.4 PROMOTIONAL OPPORTUNITIES

A. Sworn and Non-Sworn Positions

1. The promotional process for all sworn and non-sworn positions will be conducted on an as needed basis, when a vacancy arises. The Chief of Police will choose from an eligibility list of the top three viable candidates. Once a promotion announcement is made, the eligibility list will remain valid for 24 months, or once the

eligibility list drops below three (3) viable candidates then the eligibility list will no longer be valid.

2. Promotional Vacancy:

    a. When a vacancy for promotion occurs, the Chief of Police, or his/her designee, who will:

        (1) Advise all EPD personnel in writing of the promotional opportunity.

        (2) Provide a copy of the most recent job description for each position.

        (3) Establish a deadline for interested personnel to submit a letter of intent to participate in the promotional process.

3. Written Examination:

    a. The Lieutenant, Sergeant and Communications Supervisor process will be required to take a written examination.

    b. The Chief of Police will administer the written examination during the week of the promotional process.

    c. The Chief of Police will score and document the results of the written examination and tabulate those test scores on a spreadsheet.

    d. The Chief of Police will notify the applicants of their written score, along with their scores in the other components of the promotional process.

    e. The Chief of Police will establish a date and time when employees can review the results of the written examination.

4. Oral Panel Assessment:

    a. After the Chief of Police makes the announcement to employees and all interested applicants have submitted their letter of interest, the Chief of Police will schedule the Oral Panel Assessments.

b. The Chief of Police will schedule all candidates for a date and time for their oral panel assessments during the week of the promotional process.

c. After completion of the Oral Panel Assessment, the Chief of Police will tally the scores from the components of the promotional process and establish the eligibility list for that promotional process.

20.1.5 REQUIREMENTS FOR POSITIONS

A. The EPD is committed to promoting employees who are well prepared for advancement. In that respect, the Chief of Police or his/her designee will ensure that such individuals meet the following minimum periods of service prior to being considered as eligible for promotion:

1. Major – For this position, the applicant shall be a state certified police officer and possess at least ten years of police experience in any locality and must be a non-probationary Lieutenant or Captain. In addition, the Chief of Police may widen the applicant pool by advertising outside the agency.

2. Captain – For this position, the applicant shall be a state certified police officer and possess at least eight years of police experience in any locality and must be a non-probationary Sergeant or Lieutenant. In addition, the Chief of Police may widen the applicant pool by advertising outside the agency.

3. Lieutenant - For this position, the applicant shall be a state certified police officer and possess at least a minimum of six years of police experience with any locality and currently serving as a non-probationary Officer or Sergeant.

4. Sergeant- For this position, an employee shall be a state certified police officer and possess at least a minimum of four years of police experience in any locality and a non-probationary police officer with the EPD.

5. Communications Supervisor –For this position, the applicant shall be a state certified dispatcher and possess at least a minimum of four years of communications experience in any locality and a non-probationary employee with the EPD.

6. Lateral Entry for the positions of Lieutenant, Sergeant, and Communications Supervisor is not permitted.

7. Lateral Entry may be permitted for the position of Captain and Major.

B. If employees are not eligible for promotion at the time of announcement, they may participate in promotional process. The employee's participation will serve as a learning/training aide.

1. If the employee is not eligible, they should go through the promotional process because they may become eligible within 24 months that the eligibility list is valid.

a. The employee's participation will serve as a learning/training aide.

2. Employees on disciplinary probation may not participate in the process.

20.1.6 ELEMENTS OF THE SWORN AND NON-SWORN EMPLOYEE PROMOTIONAL PROCESS

A. In order to develop a process that is fair and equitable for all members of the Department, the Chief of Police or his/her designee will develop elements of the promotional process that are job related and are consistent with the job description for the position(s) that is (are) being advertised.

B. Within the EPD, first-line supervisors are an important link in the chain of command. They serve as a resource for patrol officers, as a spokesperson for the City government, and as leaders and role models for their subordinates.

C. Major and Captain –For these positions, the promotional process will consist of the following three components:

1. Oral Panel Assessment - Because it is important that command level employees think quickly and communicate effectively, an Oral Assessment Panel will be conducted.

a. For the positions of Captain and Major, the Chief of Police along with two outside members of the agency will serve on the oral panel assessment board.

b. The Oral Assessment Panel component will consist of multiple parts and may use an assessment center format.

c. The Oral Assessment Panel will weigh 80% of the promotional process.

2. Time in Service - Seniority within the Department will also have a weighted value of 10% in the promotional process. Seniority will be calculated as of the date of the oral panel assessment on the following basis:

a. Sixteen or more years=	10%
b. Fourteen to sixteen years=	8%
c. Twelve to fourteen years=	6%
d. Ten to twelve=	4%
e. Eight to ten years=	2%

3. Education - The Department believes that continuing education is important and encourages its employees to make a commitment to lifelong learning. Therefore, an employee's level of formal education will have a maximum weight of 10%, which will be computed as follows:

a. Master's Degree =	10%
b. Bachelor's Degree =	8%
c. Ninety Semester hours =	6%
d. Associates Degree or 60 Semester hours =	4%
e. 30 semester hours =	2%

D. Lieutenant, Sergeant and Communications Supervisor – For these positions, the promotional process will consist of the following components:

1. Written Examination may consist of material from the *General Orders Manual*, the Virginia State Code, City Personnel Policies and the City of Emporia Ordinances, as well as material from a source dealing directly with administration and leadership. Such source material(s) will be announced prior to the date of the written exam. The exam will weigh 40% of the promotional process. All materials used for the written examination will be made available to all candidates at the Department's expense.

2. Oral Assessment Panel - Because it is important that command level employees think quickly and communicate effectively, an Oral Assessment Panel will be conducted.

a. For the positions of Lieutenant, Sergeant and Communications Supervisor the panel will consist of individuals from outside the police department. Those panel members will hold the equivalent of the proposed promotion or higher.

b. The Oral Assessment Panel component may consist of multiple parts and may use an assessment center format.

c. The Oral Assessment Panel will weigh 40% of the promotional process.

3. Education - The Department believes that continuing education is important and encourages its employees to make a commitment to lifelong learning. Therefore, an employee's level of formal education will have a maximum weight of 10%, which will be computed as follows:

a. Master's Degree = 10%
b. Bachelor's Degree = 8%
c. Ninety Semester hours = 6%
d. Associates Degree or 60 Semester hours = 4%
e. 30 semester hours = 2%

4. Time in Service - Seniority within the Department will also have a weighted value of 10% in the promotional process. Seniority will be calculated as of the date of the exam on the following basis: Lieutenant, Sergeant and Communications Supervisor Promotional Process

a. Sixteen or more years= 10%
b. Thirteen to sixteen years= 8%
c. Ten to thirteen years= 6%
d. Seven to ten years= 4%
e. Four to seven years= 2%

20.1.7 REVIEW AND APPEAL

A. Once the promotional process is complete, employees will have an opportunity to review the results of their examinations, and may appeal questions and answers on the written examination and the computation of scores for all elements of the promotional process to the Chief of Police.

B. Re-Testing

1. Written Examination- Applicants may have the ability to make-up the written examination if an emergency or exigent circumstances occurs. For example, if an applicant becomes ill, or experiences a death in the family, they will be able to make-up the written exam. If the absence is due to a personal illness, then the applicant will be required to provide a doctor's note to the Chief of Police.

2. Oral Assessment Panel- Due to the utilization of outside assessor, make-ups for the oral assessment panel is not feasible and applicants will not be able make up the oral assessment phase of the promotional process.

C. Due to the utilization of outside assessors, scores from the Oral Assessment Panel may not be appealed.

20.1.8 ELIGIBILITY LISTS

A. The Chief of Police or his/her designee will compile a promotional list of all candidates in rank order from the highest to lowest score based on the scores from all components of the process.

1. For the major, captain, lieutenant, sergeant and communications supervisor process, the Chief of Police will select the best candidate from the top three (3) viable applicants from the eligibility list.

   a. The Chief of Police may interview the top three (3) candidates to determine who he will offer the position to.

   b. An employee's past performance is a good indicator of future success. Therefore, the Chief of Police will review the applicant's personnel folder to assist his/her selection.

   c. The Chief of Police will review the IA Pro software for any disciplinary actions that would prohibit the candidate from serving in a position of higher authority.

   d. The Chief of Police will consider the candidate's involvement in Department and Community activities and events.

2. All candidates for the positions of major, captain, lieutenant, sergeant and communications supervisor will be scored and ranked on the appropriate eligibility list. The eligibility list for the

positions of major and captain will remain in effect for that process only. The eligibility list for the positions of lieutenant, sergeant and communications supervisor will be valid for 24-months from the announcement of the promotion and future promotions will be made from the current list until it expires.

a. If there is more than one vacancy for a specific rank, then multiple promotions will occur from the eligibility list.

b. In rare occasions, when there is only one (1) candidate the Chief of Police will determine if the sole applicant is qualified for the position and then conduct an interview and make the promotion of the lone qualified candidate.

20.1.9 PROBATIONARY STATUS

A. Persons promoted to a position of higher responsibility will be placed on probation for a period of six (6) months and may be demoted to their original position as the result of either disciplinary action or poor work performance.

20.1.10 SECURITY OF PROMOTIONAL MATERIALS

A. The Chief of Police will ensure that promotional materials remain locked in a secure area within the Office of the Chief of Police.

B. In addition, the Chief of Police is responsible for ensuring the security of all promotional materials, as they are being developed and administered.

C. Upon completion of the promotional process, testing materials will be available to candidates for their review.

D. Following the review/appeal period, all testing materials may be utilized for training and preparation for subsequent promotional processes.

21.1 PERFORMANCE EVALUATION SYSTEM

21.1.1 ADMINISTRATION

A. The performance evaluation system provides a standard format used by a supervisor to assess the conduct of, and work performed by an employee for their permanent record. This evaluation serves to:

1. Initiate and maintain a flow of communication between personnel and supervisors.

2. Illustrate employees' strengths and weaknesses.

3. Provide information needed in order to devise methods for improving employee performance.

4. Provide information to be used in the career development of personnel.

5. Identify areas of performance where personnel need special training.

6. Provide a fair, impartial and uniform system in making personnel decisions.

B. The Chief of Police or his/her designee will coordinate the performance evaluation system. The evaluation forms are furnished by the City Manager's Office and the directives include:

1. Measurement Definitions.

2. Procedures for Use of Forms.

3. Evaluator Responsibilities.

C. The Chief of Police will conduct rater training and provide written performance evaluation directives to Department supervisors.

21.1.2 ANNUAL PERFORMANCE EVALUATION

A. The performance evaluation process consists of the following:

1. An agreement on goals and objectives by employee and supervisor.

2. A 12 month formal written performance evaluation report shall be completed by the supervisor.

B. Performance evaluation forms will be form provided by the City Manager's Office and each employee will be evaluated by their immediate supervisor.

21.1.3 PROBATIONARY REPORTS

A. Police Officers - Daily observation, bi-weekly performance evaluation, and monthly performance reports will be completed for all officers during their field training by their FTO and their immediate supervisor. Once probationary officers complete their field training, a Performance Evaluation Report will be completed by their section Lieutenant once a month until the end of their 12-month probationary period. This Monthly Probationary Evaluation Report will be channeled through the officer's chain of command for review.

B. Civilian Employees - All civilian employees will participate in training to prepare them for the responsibilities of their position. A Performance Evaluation Report will be completed by their immediate supervisor monthly during the 6 month probationary period.

21.1.4 PERFORMANCE CRITERIA/RATING PERIOD

A. The employee's performance will be rated only for the period of time listed on the face of the evaluation form. The criteria used to form the basis of the employee's performance evaluation will reflect the tasks the employee performs relative to the job description of their position. The supervisor will ensure employee will match their pay grade classification.

21.1.5 EVALUATION PERIOD

A. EPD personnel will be given a written performance evaluation annually. An employee may be evaluated more often for good reason and with the approval of the Chief of Police.

21.1.6 UNSATISFACTORY PERFORMANCE

A. Employees receiving an unsatisfactory performance evaluation shall be notified in writing by their supervisor at least 90 days prior to the end of the rating period. This notice should include reasons for the unsatisfactory appraisal and suggest measures that should be taken to improve the employee's performance. The notification must be submitted to and approved by the Chief of Police through the chain of command prior to issuance. If no improvement is made by the end of the rating period, this information should be included in the employee's performance evaluation.

21.1.7 NARRATIVE EXPLANATIONS

A. Performance ratings in any specific performance that are improving or declining will be detailed by a narration in the designated section of the performance evaluation form.

21.1.8 SUPERVISORY EVALUATION REVIEW

A. Performance evaluation reports will be reviewed by the evaluator's supervisor and, through the chain of command, forwarded to the Chief of Police. Before a reviewer makes any rating change, the Chief of Police will be consulted.

1. In cases where there is a disagreement, the Chief of Police will discuss the discrepancy with the evaluator and reach an agreement on the appropriate evaluation ratings prior to the presentation of these ratings to the employee. If an agreement cannot be reached, the reviewer has the authority to change ratings or make comments on the evaluation form and reflect a new overall rating.

2. If the Chief of Police is the evaluator doing an employee's initial evaluation, no review is required.

3. The Chief of Police is evaluated by the City manager.

21.1.9 EMPLOYEE EVALUATION REVIEW

A. The EPD requires all supervisors to meet with each employee at the beginning of the rating period and develop an initial agreement, related to pre-established job factors or objectives, addressing the works which both agree can be accomplished during the rating period.

B. Evaluations will be completed by the employee's immediate supervisor. If an employee has had more than one supervisor during the rating period, the evaluator shall confer with the previous supervisor(s) prior to completing the performance evaluation.

C. After the performance evaluation form has been reviewed according to General Order 21.1.8; the performance evaluation will be discussed by the employee and the evaluator. This discussion is a key element in the performance evaluation process. It provides an opportunity for a constructive exchange of information about the employee's performance in relation to their position. The evaluator must explain to the employee what was taken into consideration in making the evaluation. Specific examples of performance should be discussed in detail. The employee should be commended for work well done and suggestions for improvement should be

specified. This discussion will also provide the supervisor with an opportunity for career counseling. Because the performance evaluation is a key component when considering employees for training, specialization, and advancement, the supervisor should address these issues during the performance evaluation discussion.

D. After the performance evaluation form has been discussed with the employee during a meeting with their respective supervisor, the employee will be requested to sign the evaluation. The employee's signature indicates that the evaluation has been reviewed and does not necessarily indicate that the employee agrees with the evaluation.

21.1.10 EVALUATION WRITTEN RESPONSE

A. Employees may comment regarding their performance evaluation by filing a written attachment. This attachment may include suggestions for improved performance, ways to improve the overall operations of the squad, division or Department, and concurrence or disagreement with the evaluation.

21.1.11 DISTRIBUTION OF PERFORMANCE EVALUATION

A. The Chief of Police will ensure a copy of the completed evaluation form in the employee's personnel folder, and a copy is given to the employee.

21.1.12 APPEAL PROCESS

A. Contested performance evaluations will be appealed through the chain of command to the Chief of Police.

B. This appeal is not a formal grievance because performance evaluations are non-grievable, but this appeal process will enable the employee to go beyond the appeal of their immediate supervisor.

C. The Chief of Police is empowered with the final decision in this process.

21.1.13 RETENTION OF PERFORMANCE EVALUATIONS

A. Completed performance evaluations will be retained indefinitely as part of the employee's personnel folder**.**

21.1.14 EVALUATOR'S PERFORMANCE

A. As part of the annual performance evaluation, supervisors will be

rated on their ability to fairly evaluate and provide guidance and counseling to their subordinates. While reviewing performance evaluations by the evaluator's supervisor the reviewer shall ensure that comments and ratings are consistent, uniform with other evaluations, and complete.

21.2 PERSONNEL EARLY WARNING SYSTEM

21.2.1 PURPOSE

A. To offer appropriate intervention strategies to employees identified at-risk through the department's Personnel Early Warning System.

21.2.2 POLICY

A. It shall be the policy of the Emporia Police Department to actively monitor all employees' conduct and provide appropriate intervention, as necessary, for the benefit of the employee and the Department. Furthermore, it shall be the policy of the Department to assist supervisors in the identification of employees with potential performance-related problems.

21.2.3 PROCEDURES

A. The Emporia Police Department has a responsibility to its employees and the community to develop and demonstrate a positive approach to identifying and assisting any police employee whose performance indicates the possibility of job stress or other job- related problems. These symptoms may be exhibited by:

1. Field performance by the employee that tends to indicate a tendency to use unnecessary or unreasonable force.

2. Over - aggressiveness that causes unnecessary injuries or equipment abuse.

3. Personal techniques or habits that tend to increase the severity of field contacts or arrest situations.

4. Work habits that seriously affect job performance.

B. Personnel Early Warning System - The Department's Personnel Early Warning System (PEWS) is designed to help identify at-risk employees at an early stage.

1. No system can guarantee it will positively identify all employees who need special assistance. There are certain performance indicators that, when used in a systematic way, can alert both supervisors and employees to the possibility of a problem. So often, time, location and person observing the incident or relative frequency separate the specific events. This system is designed to capture critical tasks and incidents over a period of time to highlight the performance of certain employees.

2. This system is not intended to produce conclusions regarding any individual employee's performance. It is simply a tool for supervisors and managers to identify employees who need assistance, at an early stage, and ensure that reasonable assistance can be provided and tailored to the individual employee.

3. This system is designed to capture essential information and identify those employees who must then be contacted by their immediate supervisor. It requires the supervisor to counsel with, and if warranted, recommend remedial action or intervention to assist the employee. Some of these remedial resources include:

    a. Peer counseling;

    b. Counseling;

    c. Intensive supervision for a specific period of time in the field;

    d. Training;

    e. Remedial Training;

    f. Psychological services;

    g. Fitness for Duty Examinations;

    h. Substance abuse treatment and counseling; and

    i. Temporary assignment change.

C. Criteria for Early Warning System - The criteria used for this system are those events that have the potential to produce negative results, arouse community attention, result in injury or death, or generate potential liability. The following events are defined and will be used as a basis for this system.

1. Complaints alleging misconduct- any complaint made against an employee that focuses on the employee's behavior or performance.

2. Use of force reports- when an employee uses a level of force requiring a Blue Team entry for a use of force incident.

3. Firearms discharge-when an employee discharges any of their department issued firearms, except for the purposes of training or recreation.

4. Vehicular pursuits- when an employee participates in a pursuit as either a primary or secondary unit as defined by department policy.

5. Vehicle Collisions- when an employee is involved in a vehicle collision (both on and off duty). Entries in the IA Pro database do not presuppose that the officer is at fault.

6. Criminal complaints filed against an agency employee- when an employee is a defendant in a criminal prosecution

7. Civil lawsuit filed against an employee – when an employee is a defendant in any civil action brought against them.

D. Internal Affairs as the Monitoring Agent – The Support Division Commander will maintain all Personnel Early Warning System files to include the original notification, review and supplemental recommendations. These files will be maintained separately from the employee's personnel folder. The Support Division Commander will also be responsible for updating the Chief of Police as needed, and the preparation and transmittal of the System's annual reports.

E. Reporting Formats

1. Reports will be prepared by Internal Affairs indicating individual employees who have accumulated the pre-designated number of incidents for the selected period of time.

2. Internal Affairs will monitor the following specified department records and make written notification when one or more of the following situations exist.

3. The reports are essential to identify any employee who may warrant attention, but fails to accumulate the required number of incidents within the designated period of time, yet accumulates a significant number of such incidents over a longer period.

4. The annual report will identify employees who generate the following during a twelve (12) month period:

   a. Four (4) or more use of force reports;

   b. Three (3) or more vehicular pursuits;

   c. One (1) or more firearm discharges;

   d. Two (2) or more complaints of misconduct;

   e. One (1) or more civil lawsuits or criminal complaint filings;

   f. Two (2) or more of any combination of the selected early identification system criteria.

5. The Personnel Early Warning System review of identified employees will be initiated upon written notification by an employee's supervisor, if any of the following trigger levels activate the system:

   a. Two or more chargeable accidents in City vehicles with a six-month period;

   b. Any act or threat of violence against another employee(s);

   c. A discernible pattern of abuse of leave or tardiness;

   d. More than one unexcused absence within a six-month period;

   e. Any allegation of domestic violence involving the employee, whether as victim or aggressor;

   f. Behavior by an employee that is so unusual or inappropriate that it disrupts normal working conditions or creates an unsafe work environment;

   g. Any apparent indication that an employee is being mentally or physically abused (i.e. bruises, significant behavioral changes, excessive sleepiness, etc.);

   h. An employee's involvement in an emotionally or physically traumatic incident that appears to be detrimentally affecting the employee's performance.

6. Any member of an employee's supervisory/management chain-of-command may make the notification. The notification will be in writing and addressed to the Captains, Major and the Chief of Police.

7. Annual Evaluation of the Personnel Early Warning System

   a. The Chief of Police will conduct an annual review of the Personnel Warning System.

   b. The report will include a summary of the reviews conducted that year to determine if the system is appropriately identifying individuals in need of intervention.

   c. A review of IA's conducted that year will be made to determine if there were cases investigated which could or should have been prevented by early intervention.

d. Suggested improvements to the Personnel Early Warning System will be included in the report based on the reviews and analyses and will identify any employee who during the previous twelve (12) months generated the following:

(1) Four (4) or more Use of Force Incidents;

(2) Three (3) or more Vehicle Pursuits;

(3) One (1) or more Firearms Discharges;

(4) Two (2) or more Complaints of Misconduct;

(5) One (1) or more Civil Lawsuits or Criminal Complaint Filings;

(6) Two (2) or more of any of the above combination.

e. For each employee identified in the annual report, Internal Affairs will provide a report listing the employee's name, assignment, and a listing of the specific number and type(s) of incidents that were used to identify the individual employee. This report will be forwarded to the Lieutenant of the identified employee. Internal Affairs will assign a return due date of two (2) calendar weeks and ensure that the required response is returned within that period of time or that an approved extension request is made and maintained on file.

F. Supervisory Responsibilities – When an employee triggers the personnel early warning system the Support Division Commander will assign the employee's immediate supervisor to meet with the employee and discuss the contents of the report. The supervisor may contact the Support Division Commander for a more complete understanding of the specific incidents involved.

1. It is extremely important that all persons recognize that this is not meant to be a disciplinary process. This is a supervisory notification of a potential personnel performance problem. It is a systematic process to alert the Command Staff and the employee to a condition that necessitates concern and attention. The Personnel Early Warning System is designed to be a resource to assist supervisors in their primary function of personnel development and guidance.

2. The supervisor shall prepare a written report outlining the meeting and any recommend actions. The employee will have an opportunity to review the supervisor's completed report and, if desired, can note on the report or prepare a supplemental

report expressing his/her agreement or disagreement or add personal comments.

3. A Personnel Early Warning System review will be initiated upon written notification by an employee's supervisor that any of the following conditions exist:

   a. Two or more chargeable accidents in City vehicles within a six-month period;

   b. Any act or threat of violence against another employee(s);

   c. A discernible pattern of abuse of leave or of tardiness;

   d. More than one unexcused absence from duty within a six month period;

   e. Any allegation of domestic violence involving the employee, whether as victim or aggressor;

   f. Behavior by an employee that is so unusual or inappropriate that it disrupt normal working conditions or creates an unsafe working environment;

   g. Any apparent indication that an employee is being mentally or physically abused (i.e. bruises, significant behavioral changes, excessive sleepiness, etc.);

   h. An employee's involvement in an emotionally or physically traumatic incident that appears to be detrimentally affecting the employee's performance.

   I. Approval of Supervisory Action - The completed supervisory report and any reports of the employee will be forwarded to the Support Division Commander through the normal chain of command. Each level within the command chain must indicate agreement or disagreement with the recommended action of the immediate supervisor. The Chief of Police will be the final authority on the action to be taken. The Major will be responsible for verifying that the recommended action is implemented. Internal Affairs will store these reports in a separate and secure file.

G. Availability and Use of Supervisory Counseling Reports – If the employee's supervisor finds it necessary to provide counseling to the employee based on facts and circumstances uncovered, then the supervisor will document the counseling session in a memorandum form that will be forwarded through the chain of command. The counseling reports could be

used in the future for any other further recommendations for disciplinary actions, use in the employee's performance evaluation and potentially transfer in assignments.

H. Employee Assistance - Once an employee is identified as needing assistance, the police department may require the employee to receive counseling through the City's licensed professional counselor to assist the employee. This service will be made available to the employee at the department's expense.

22.1. PATROL ASSIGNMENTS

22.1.1 ASSIGNMENT/SCHEDULING

A. Shift Assignment- It is the policy of the Department that officer's assigned to patrol will work a fixed/flexible shift. This does not preclude the Major or the Chief of Police to deviate from the fixed/flexible shifts if the needs of the department or the community need to be met.

1. The assignment of officers will be based upon the following criteria:

   a. The needs of the Department;

   b. Longest term of continuous employment with the Department;

   c. Time in grade of assignment;

   d. Ensuring adequate experience is equally divided among sections;

   e. That sections are not overly saturated with officers possessing the same specializations.

2. All Supervisory assignments will be appointed by the Chief of Police, who will receive input from the Major and Division Commanders.

B. Shift Rotation - The Department has two patrol rotations that provide 24-hour shift coverage. The rotations will start at 6:00 a.m. and ending at 6:00 a.m. after 48 hours on the weekdays and 72 hours on the weekends in which they are assigned to work.

C. Continuous Coverage- To ensure that continuous patrol coverage is provided throughout the day. Officers from the patrol section will begin their tours of duty at staggered times throughout the day.

1. Patrol staffing on a daily basis will be one supervisor and one officer assigned from 4:00 a.m. until 6:00 a.m.

2. After 6:00 a.m. typically two supervisors and an officer will begin their tour of duty staggered as determined by the Chief of Police.

3. The above two requirements are based on the Department's calls for service and volume.

4. The determination of staffing needs and resources has been established from data from the Department's CAD and RMS.

5. Only in an exigent circumstance and authorized by the Major or Chief of Police, the Senior Officer assigned to the rotation may serve as a temporary supervisor until relieved by either a Sergeant or Lieutenant.

D. Beat Rotation – The City is divided into four beats. Beat rotation will be accomplished at the discretion of the squad supervisor.

E. Day-Off Scheduling – Each officer is required to work 160 hours per month.

1. Patrol Officers assigned to either A or B rotation will have assigned days off according to the rotation schedule.

2. Only two (2) officers may be authorized to be off during a regularly scheduled work day.

   a. For example, one officer taking vacation/PTO and one officer in training; or, one officer taking compensatory leave and one officer taking vacation/PTO; or, one officer taking compensatory leave or training.

3. It will be the responsibility of the Operations Division Commander to ensure that there is adequate patrol coverage, should officers take or need additional time off.

4. The Patrol Lieutenants will advise the Operations Division Commander of any time off that officers wish to take.

5. Supervisors will not approve leave with the assumption that a specialized section will cover their patrol shift.

F. Foot Patrol Beats - The Department combines foot patrol with motorized patrol, and each officer is encouraged to walk whenever possible during their tour of duty. No permanent foot patrols are deployed.

1. Officers and supervisors should consider the following criteria when deciding when and where to utilize foot patrol:

   a. Patterns of criminal activity.

   b. Need for frequent inspections, such as business, commercial or community policing areas.

   c. Concentration of calls for service involving persons on foot.

   d. Personnel availability.

G. Directed Patrol - Directed Patrol is a program designed to better manage and ultimately to reduce repetitious 911 calls. Directed patrol targets may originate from observations or information developed by patrol officers,

complaints or concerns received by the Communications Center or the Department, or from the chief, city manager or members of the City Council. Other directed patrol targets may be identified through an analysis of CAD/RMS records. Complaints or concerns are recorded on the appropriate form and extra checks are made of this target location for appropriate period of time. Officers record, with the Communications Center, their observations and any action taken each time they check that location. At the end of the directed patrol period, a designated supervisor will forward the information to the Operations Division Commander for review. When deemed necessary, a written response will be forwarded to the complainant by the Chief of Police or Major. All completed directed patrol requests/assignments are maintained in a file in Records.

22.2 ROLL CALL

22.2.1 ROLL CALL PROCEDURES:

A. Roll Call:

1. Patrol Sections work staggered shifts during the day and roll call will be conducted at 0600 and 1800.

2. Roll Call will be held upstairs in the Training Room.

3. Roll Call is paid duty and is a mandatory assignment.

4. Roll Call will be conducted by the Patrol Lieutenant.

5. In the Lieutenant's absence, the Sergeant will conduct roll call.

6. If Investigations, special operations, communications and administration personnel are working or on duty at 18:00, then they are required to attend roll call. This is designed to enhance a better flow of communication between all sections of the department.

7. Roll Call will accomplish the following tasks:

    a. The Patrol Lieutenant, or Sergeant will review and pass on the calls for service from the shift;

    b. Review any current information posted on informational boards, bulletins from the Fusion Center, or wanted posters generated within or outside the Department;

    c. Line Inspection will be conducted by the Patrol Lieutenant, or Sergeant of their personnel for personal grooming, uniform, weapons and equipment;

    d. Roll Call training will be coordinated through the training function, with an attached lesson plan and training roster, which will be turned in to the Major upon completion.

    e. Notification of any special events, operations, assignments or changes in policies or procedures;

    f. Any assignments and tasks that the Supervisor gives their officers;

    g. When the Communications Center receives any teletypes or "BOLO's" they will broadcast this information on the radio and print a copy to be passed on at roll-call

22.3 SPECIAL PURPOSE VEHICLES

A. The Emporia Police Department utilizes the police bicycle, utility-terrain vehicle (UTV) and the unmanned aerial systems operations (DRONE) as special purpose vehicles.

22.3.1 BICYCLE PATROL

A. The Department utilizes bicycle patrol to compliment patrol operations. The police bicycle is an effective vehicle for patrolling in areas not accessible to motor vehicles, and for enhancing community relations by increasing police visibility. The duties and responsibilities of bicycle patrol officers include those expected of other patrol officers. All bike officers will patrol with a strong emphasis on high visibility from crime prevention and the enhancement of community relations.

B. The police bicycle will be utilized for, but is not limited to, the following duties:

1. Enforcement of laws and ordinances.

2. Patrol in densely populated and highly congested residential and commercial areas.

3. Assignments as directed by a division commander or his/her designee.

4. Working shifts to be established by and at the direction of a division commander or his/her designee.

C. Operational Procedures

1. Officers operating police bicycles shall attend an approved police bicycle training program. Only those officers who are certified and trained in their operation and use are authorized to use these vehicles or equipment.

2. Operation of police bicycles should always be with due regard for the safety of the officer and the public. The officer shall have a working knowledge of, and comply with all applicable state laws, City ordinances and general orders regarding the operation of bicycles.

3. Officers shall adhere to the guidelines and methods taught in the training program.

4. Officers shall complete a pre-tour and post-tour inspection of

their bicycle, noting any deficiencies to the supervisor. Officers shall only utilize those bicycles authorized by the Department. Officers shall not remove equipment or alter the bicycles without the approval of the Bicycle Patrol Coordinator.

5. The Bicycle Patrol Coordinator will conduct bi-annual inspection of all patrol bicycles and will note any deficiencies to the Operations Division Commander.

6. There will always be a minimum of two bicycle officers when working a patrol or special event assignment. At no time should a bicycle officer ride alone.

7. The on-duty supervisor will make location and time specific assignments to bicycle officers to patrol. At the discretion of the on-duty supervisor, the location may be changed.

8. A bicycle assignment does not exempt the bicycle officer from taking calls for service. If a non-emergency call is received in the beat assignment of the bicycle patrol officer, the bicycle officer will respond to the call for service to assist and/or take over the call for service depending on the nature of the call or if other patrol officers are not available.

9. The on-duty supervisor will make a determination whether the police bicycles will be utilized based on extreme weather conditions, such as: high heat, extreme cold. The police bicycles will not be utilized in the rain or snow.

10. Police bicycles left unattended in a public place shall be secured at all times. In the case of an emergency where time does not permit it, bicycles may be left unattended, but as soon as possible they should be secured.

11. When a bicycle officer makes a custodial arrest, the bicycle officer will call for another patrol unit with a transport cage to transport them back to the police department. Once the bicycle officer meets the transporting officer back at the police department, the bicycle officer will take custody of their prisoner and transport them to Southside Regional Jail.

12. Officers escorting prisoners shall walk their bicycle.

13. Bicycles that are involved in motor vehicle accidents shall be reported to the on- duty supervisor immediately and investigated in accordance with General Order 33.2.1, *Accident Investigation Reports.*

14. On occasion when bicycle officers are forced to ride in darkness, the headlamp and rear light shall be used.

15. Officers will not make traffic stops other than those that would be possible for officers on foot patrol.

16. The operator of a police bicycle must wear an approved safety helmet with a fastened chinstrap.

17. The police bicycle shall not be utilized when weather or road conditions are adverse to safe operation.

18. At no time will a passenger be carried.

19. It is incumbent upon officers to be courteous to pedestrians, joggers and other bicyclist when operating police bicycles.

D. Maintenance and Repair

1. Prior to assuming bicycle patrol, it will be the responsibility of the operator to inspect the bicycle and report any deficiencies to the on-duty supervisor. Officers are expected to know how to change a flat tire and how to remount both the front and rear wheels. Tools will be provided.

2. Mechanical breakdowns shall be handled by the designated repair shop. Upon notification of needed repairs, the Bicycle Patrol Coordinator shall coordinate the delivery, repair and pickup of the bicycle.

3. During periods when the bicycles and equipment are not in use, they shall be secured at the police department storage area.

E. Special Equipment - The following equipment shall be carried on the bicycles:

1. Traffic Vest;
2. First Aid Supplies;
3. Lock;
4. Flashlight;
5. Department Forms;
6. Tire Changing Tools.

22.3.2 Utility- Terrain Vehicle –

A. This UTV is to serve as a support to patrol and to enhance the community visibility of the Police Department at special events.

1. The utility-terrain vehicle will be utilized for, but not limited to, the following duties:

a. Involvement in Community/Special Events;

b. Enforcement of laws and ordinances;

c. Assisting in search and rescue missions;

d. Assignments as directed by the Command Staff or the Section Supervisor.

B. Operational Procedures

1. All operators will participate in a roll call safety training prior to operating the vehicle.

2. One set of keys for the vehicle will be located with the Operations Division Commander, and another in the office of the Major.

3. Non-sworn personnel will operate the vehicle in *low gear only*.

4. The front and rear differential will always be kept in the "off" position.

5. All occupants of the vehicle will be properly restrained using the vehicle's seat belt.

6. Passengers under the age of 18 may be required to wear a DOT-approved helmet at the discretion of the operator. The requirement of the helmet will depend on the type of terrain in which the vehicle is being used.

7. It is the operator's responsibility to find a safe course when operating at a special event prior to transporting passengers.

8. The vehicle will be equipped with emergency lighting and may be utilized in emergency situations approved by a Department sworn supervisor. If the vehicle is utilized for on-road situations, ***it will only*** be operated by sworn personnel.

9. When the vehicle is used in darkness, the headlights and rear lights shall be used.

10. When the Department's UTV is utilized, the operator will have the Communication's Center create a CAD event and in the notes the officer will document that the UTV is being utilized. The CAD Event will describe the event, the primary operator, location and how many hours the UTV was utilized.

11. Any accidents or injuries resulting from operation of this vehicle shall be reported to the on-duty supervisor immediately and investigated in accordance with General Order 29.2.1, *Accident Investigation Reports.*

C. Maintenance and Repair

1. The Operations Division Commander will be responsible for the vehicle's condition and maintenance.

2. The gas and oil will be checked prior to each use of the vehicle.

3. To ensure peak performance of the UTV, a fuel additive such as STA-BIL will be added to the fuel, or an ethanol-free gasoline will be utilized.

4. After completion of an event, the primary operator will be responsible for cleaning any debris or mud from the vehicle and ensure that the UTV has been cleaned for storage.

5. Prior to operating the vehicle, it will be the responsibility of the primary operator to inspect the vehicle and report any deficiencies to the on-duty supervisor.

6. The Operations Division Commander will ensure that the UTV is inspected on a monthly basis.

7. Mechanical breakdowns shall be handled by a designated repair facility. Upon notification of needed repairs, the Operations Division Commander or his/her designee will coordinate the delivery, repair and pick-up of the vehicle.

8. When not in use, the vehicle and equipment will be stored in the PD storage area.

9. There will be no equipment stored in or on the utility-terrain vehicle.

22.3 SPECIAL PURPOSE VEHICLES

A. The Emporia Police Department utilizes the police bicycle, utility-terrain vehicle (UTV), the Prisoner Transportation Vehicle and the unmanned aerial systems operations (DRONE) as special purpose vehicles.

22.3.1 BICYCLE PATROL

A. The Department utilizes bicycle patrol to compliment patrol operations. The police bicycle is an effective vehicle for patrolling in areas not accessible to motor vehicles, and for enhancing community relations by increasing police visibility. The duties and responsibilities of bicycle patrol officers include those expected of other patrol officers. All bike officers will patrol with a strong emphasis on high visibility from crime prevention and the enhancement of community relations.

B. The police bicycle will be utilized for, but is not limited to, the following duties:

1. Enforcement of laws and ordinances.

2. Patrol in densely populated and highly congested residential and commercial areas.

3. Assignments as directed by a division commander or his/her designee.

4. Working shifts to be established by and at the direction of a division commander or his/her designee.

C. Operational Procedures

1. Officers operating police bicycles shall attend an approved police bicycle training program. Only those officers who are certified and trained in their operation and use are authorized to use these vehicles or equipment.

2. Operation of police bicycles should always be with due regard for the safety of the officer and the public. The officer shall have a working knowledge of, and comply with all applicable state laws, City ordinances and general orders regarding the operation of bicycles.

3. Officers shall adhere to the guidelines and methods taught in the training program.

4. Officers shall complete a pre-tour and post-tour inspection of their bicycle, noting any deficiencies to the supervisor.

Officers shall only utilize those bicycles authorized by the Department. Officers shall not remove equipment or alter the bicycles without the approval of the Bicycle Patrol Coordinator.

5. The Bicycle Patrol Coordinator will conduct bi-annual inspection of all patrol bicycles and will note any deficiencies to the Operations Division Commander.

6. There will always be a minimum of two bicycle officers when working a patrol or special event assignment. At no time should a bicycle officer ride alone.

7. The on-duty supervisor will make location and time specific assignments to bicycle officers to patrol. At the discretion of the on-duty supervisor, the location may be changed.

8. A bicycle assignment does not exempt the bicycle officer from taking calls for service. If a non-emergency call is received in the beat assignment of the bicycle patrol officer, the bicycle officer will respond to the call for service to assist and/or take over the call for service depending on the nature of the call or if other patrol officers are not available.

9. The on-duty supervisor will make a determination whether the police bicycles will be utilized based on extreme weather conditions, such as: high heat, extreme cold. The police bicycles will not be utilized in the rain or snow.

10. Police bicycles left unattended in a public place shall be secured at all times. In the case of an emergency where time does not permit it, bicycles may be left unattended, but as soon as possible they should be secured.

11. When a bicycle officer makes a custodial arrest, the bicycle officer will call for another patrol unit with a transport cage to transport them back to the police department. Once the bicycle officer meets the transporting officer back at the police department, the bicycle officer will take custody of their prisoner and transport them to Southside Regional Jail.

12. Officers escorting prisoners shall walk their bicycle.

13. Bicycles that are involved in motor vehicle accidents shall be reported to the on- duty supervisor immediately and investigated in accordance with General Order 33.2.1, *Accident Investigation Reports.*

14. On occasion when bicycle officers are forced to ride in darkness, the headlamp and rear light shall be used.

15. Officers will not make traffic stops other than those that would be possible for officers on foot patrol.

16. The operator of a police bicycle must wear an approved safety helmet with a fastened chinstrap.

17. The police bicycle shall not be utilized when weather or road conditions are adverse to safe operation.

18. At no time will a passenger be carried.

19. It is incumbent upon officers to be courteous to pedestrians, joggers and other bicyclist when operating police bicycles.

D. Maintenance and Repair

1. Prior to assuming bicycle patrol, it will be the responsibility of the operator to inspect the bicycle and report any deficiencies to the on-duty supervisor. Officers are expected to know how to change a flat tire and how to remount both the front and rear wheels. Tools will be provided.

2. Mechanical breakdowns shall be handled by the designated repair shop. Upon notification of needed repairs, the Bicycle Patrol Coordinator shall coordinate the delivery, repair and pickup of the bicycle.

3. During periods when the bicycles and equipment are not in use, they shall be secured at the police department storage area.

E. Special Equipment - The following equipment shall be carried on the bicycles:

1. Traffic Vest;
2. First Aid Supplies;
3. Lock;
4. Flashlight;
5. Department Forms;
6. Tire Changing Tools.

22.3.2 UTILITY-TERRAIN VEHICLE

A. This UTV is to serve as a support to patrol and to enhance the community visibility of the Police Department at special events.

1. The utility-terrain vehicle will be utilized for, but not limited to, the following duties:

    a. Involvement in Community/Special Events;

    b. Enforcement of laws and ordinances;

    c. Assisting in search and rescue missions;

    d. Assignments as directed by the Command Staff or the Section Supervisor.

B. Operational Procedures

1. All operators will participate in a roll call safety training prior to operating the vehicle.

2. One set of keys for the vehicle will be located with the Operations Division Commander, and another in the office of the Major.

3. Non-sworn personnel will operate the vehicle in *low gear only*.

4. The front and rear differential will always be kept in the "off" position.

5. All occupants of the vehicle will be properly restrained using the vehicle's seat belt.

6. Passengers under the age of 18 may be required to wear a DOT-approved helmet at the discretion of the operator. The requirement of the helmet will depend on the type of terrain in which the vehicle is being used.

7. It is the operator's responsibility to find a safe course when operating at a special event prior to transporting passengers.

8. The vehicle will be equipped with emergency lighting and may be utilized in emergency situations approved by a Department sworn supervisor. If the vehicle is utilized for on-road situations, ***it will only*** be operated by sworn personnel.

9. When the vehicle is used in darkness, the headlights and rear lights shall be used.

10. When the Department's UTV is utilized, the operator will have the Communication's Center create a CAD event and in the notes the officer will document that the UTV is being utilized. The CAD Event will describe the event, the primary operator, location and how many hours the UTV was utilized.

11. Any accidents or injuries resulting from operation of this vehicle shall be reported to the on-duty supervisor immediately and investigated in accordance with General Order 29.2.1, *Accident Investigation Reports.*

C. Maintenance and Repair

1. The Operations Division Commander will be responsible for the vehicle's condition and maintenance.

2. The gas and oil will be checked prior to each use of the vehicle.

3. To ensure peak performance of the UTV, a fuel additive such as STA-BIL will be added to the fuel, or an ethanol-free gasoline will be utilized.

4. After completion of an event, the primary operator will be responsible for cleaning any debris or mud from the vehicle and ensure that the UTV has been cleaned for storage.

5. Prior to operating the vehicle, it will be the responsibility of the primary operator to inspect the vehicle and report any deficiencies to the on-duty supervisor.

6. The Operations Division Commander will ensure that the UTV is inspected on a monthly basis.

7. Mechanical breakdowns shall be handled by a designated repair facility. Upon notification of needed repairs, the Operations Division Commander or his/her designee will coordinate the delivery, repair and pick-up of the vehicle.

8. When not in use, the vehicle and equipment will be stored in the PD storage area.

9. There will be no equipment stored in or on the utility-terrain vehicle.

22.3 SPECIAL PURPOSE VEHICLES

A. The Emporia Police Department utilizes the police bicycle and a utility-terrain vehicle as special purpose vehicles.

B. Bicycle Patrol

1. The Department utilizes bicycle patrol to compliment patrol operations. The police bicycle is an effective vehicle for patrolling in areas not accessible to motor vehicles, and for enhancing community relations by increasing police visibility. The duties and responsibilities of bicycle patrol officers include those expected of other patrol officers. All bike officers will patrol with a strong emphasis on high visibility from crime prevention and the enhancement of community relations.

2. The police bicycle will be utilized for, but is not limited to, the following duties:

   a. Enforcement of laws and ordinances.

   b. Patrol in densely populated and highly congested residential and commercial areas.

   c. Assignments as directed by a division commander or his/her designee.

   d. Working shifts to be established by and at the direction of a division commander or his/her designee.

3. Operational Procedures

   a. Officers operating police bicycles shall attend an approved police bicycle training program. Only those officers who are certified and trained in their operation and use are authorized to use these vehicles or equipment.

   b. Operation of police bicycles should always be with due regard for the safety of the officer and the public. The officer shall have a working knowledge of, and comply with all applicable state laws, City ordinances and general orders regarding the operation of bicycles.

   c. Officers shall adhere to the guidelines and methods taught in the training program.

   d. Officers shall complete a pre-tour and post-tour inspection of their bicycle, noting any deficiencies to the supervisor. Officers shall only utilize those

bicycles authorized by the Department. Officers shall not remove equipment or alter the bicycles without the approval of the Bicycle Patrol Coordinator.

e. The Bicycle Patrol Coordinator will conduct bi-annual inspection of all patrol bicycles and will note any deficiencies to the Operations Division Commander.

f. There will always be a minimum of two bicycle officers when working a patrol or special event assignment. At no time should a bicycle officer ride alone.

g. The on-duty supervisor will make location and time specific assignments to bicycle officers to patrol. At the discretion of the on-duty supervisor, the location may be changed.

h. A bicycle assignment does not exempt the bicycle officer from taking calls for service. If a non-emergency call is received in the beat assignment of the bicycle patrol officer, the bicycle officer will respond to the call for service to assist and/or take over the call for service depending on the nature of the call or if other patrol officers are not available.

i. The on-duty supervisor will make a determination whether the police bicycles will be utilized based on extreme weather conditions, such as: high heat, extreme cold. The police bicycles will not be utilized in the rain or snow.

j. Police bicycles left unattended in a public place shall be secured at all times. In the case of an emergency where time does not permit it, bicycles may be left unattended, but as soon as possible they should be secured.

k. When a bicycle officer makes a custodial arrest, the bicycle officer will call for another patrol unit with a transport cage to transport them back to the police department. Once the bicycle officer meets the transporting officer back at the police department, the bicycle officer will take custody of their prisoner and transport them to Southside Regional Jail.

l. Officers escorting prisoners shall walk their bicycle.

m. Bicycles that are involved in motor vehicle accidents shall be reported to the on- duty supervisor immediately and investigated in accordance with General Order 33.2.1, *Accident Investigation Reports.*

n. On occasion when bicycle officers are forced to ride in darkness, the headlamp and rear light shall be used.

o. Officers will not make traffic stops other than those that would be possible for officers on foot patrol.

p. The operator of a police bicycle must wear an approved safety helmet with a fastened chinstrap.

q. The police bicycle shall not be utilized when weather or road conditions are adverse to safe operation.

r. At no time will a passenger be carried.

s. It is incumbent upon officers to be courteous to pedestrians, joggers and other bicyclist when operating police bicycles.

4. Maintenance and Repair

a. Prior to assuming bicycle patrol, it will be the responsibility of the operator to inspect the bicycle and report any deficiencies to the on-duty supervisor. Officers are expected to know how to change a flat tire and how to remount both the front and rear wheels. Tools will be provided.

b. Mechanical breakdowns shall be handled by the designated repair shop. Upon notification of needed repairs, the Bicycle Patrol Coordinator shall coordinate the delivery, repair and pickup of the bicycle.

c. During periods when the bicycles and equipment are not in use, they shall be secured at the police department storage area.

5. Special Equipment - The following equipment shall be carried on the bicycles:

a. Traffic Vest;
b. First Aid Supplies;

c. Lock;

d. Flashlight;

e. Department Forms;

f. Tire Changing Tools.

E. Utility- Terrain Vehicle –This UTV is to serve as a support to patrol and to enhance the community visibility of the Police Department at special events.

1. The utility-terrain vehicle will be utilized for, but not limited to, the following duties:

a. Involvement in Community/Special Events;

b. Enforcement of laws and ordinances;

c. Assisting in search and rescue missions;

d. Assignments as directed by the Command Staff or the Section Supervisor.

2. Operational Procedures

a. All operators will participate in a roll call safety training prior to operating the vehicle.

b. One set of keys for the vehicle will be located with the Operations Division Commander, and another in the office of the Major.

c. Non-sworn personnel will operate the vehicle in *low gear only*.

d. The front and rear differential will always be kept in the "off" position.

e. All occupants of the vehicle will be properly restrained using the vehicle's seat belt.

f. Passengers under the age of 18 may be required to wear a DOT-approved helmet at the discretion of the operator. The requirement of the helmet will depend on the type of terrain in which the vehicle is being used.

g. It is the operator's responsibility to find a safe course when operating at a special event prior to transporting passengers.

h. The vehicle will be equipped with emergency lighting and may be utilized in emergency situations approved by a Department sworn supervisor. If the vehicle is utilized for on-road situations, ***it will only*** be operated by sworn personnel.

i. When the vehicle is used in darkness, the headlights and rear lights shall be used.

j. When the Department's UTV is utilized, the operator will have the Communication's Center create a CAD event and in the notes the officer will document that the UTV is being utilized. The CAD Event

will describe the event, the primary operator, location and how many hours the UTV was utilized.

k. Any accidents or injuries resulting from operation of this vehicle shall be reported to the on-duty supervisor immediately and investigated in accordance with General Order 29.2.1, *Accident Investigation Reports.*

2. Maintenance and Repair

a. The Operations Division Commander will be responsible for the vehicle's condition and maintenance.

b. The gas and oil will be checked prior to each use of the vehicle.

c. To ensure peak performance of the UTV, a fuel additive such as STA-BIL will be added to the fuel, or an ethanol-free gasoline will be utilized.

d. After completion of an event, the primary operator will be responsible for cleaning any debris or mud from the vehicle and ensure that the UTV has been cleaned for storage.

e. Prior to operating the vehicle, it will be the responsibility of the primary operator to inspect the vehicle and report any deficiencies to the on-duty supervisor.

f. The Operations Division Commander will ensure that the UTV is inspected on a monthly basis.

g. Mechanical breakdowns shall be handled by a designated repair facility. Upon notification of needed repairs, the Operations Division Commander or his/her designee will coordinate the delivery, repair and pick-up of the vehicle.

h. When not in use, the vehicle and equipment will be stored in the PD storage area.

i. There will be no equipment stored in or on the utility-terrain vehicle.

22.3.3 UNMANNED AERIAL SYSTEM OPERATIONS

A. POLICY

1. It is the policy of the Emporia Police Department that trained and authorized agency personnel may deploy a small unmanned aircraft system (SUAS) when such use is appropriate in the performance of their official duties, and where deployment and use, and the collection and use of any audio/video recordings or other data originating from or generated by the SUAS, follow applicable law and the policy provisions provided herein.

B. PURPOSE

1. The purpose of this procedure is to provide guidance in the use of the department's Small Unmanned Aircraft System (SUAS) within the parameters set by the Federal Aviation Administration (FAA) and the Code of Virginia.

C. DEFINITIONS

1. Above Ground Level (AGL): Height above the ground over which you're flying.

2. Aeronautical Knowledge Test: Federal Aviation Administration (FAA) exam required to become a Remote Pilot in Command (PIC) for a Small Unmanned Aircraft System (SUAS).

3. Air Traffic Control (ATC): Responsible for providing the safe, orderly, and expeditious flow of air traffic at airports where the type of operations and/or volume of traffic requires such a service.

4. Certificate of Authorization (CoA): CoA is an authorization issued by the Federal Aviation Administration (FAA) to a public operator for a specific SUAS. Allows a Small Unmanned Aircraft System (SUAS) operation to deviate from certain provisions of Part 107 as long as the FAA finds that the proposed operation can be safely conducted under the terms of that Certificate of Authorization.

5. Digital Multimedia Evidence: Digital recording of images, sounds, and associated data.

6. Federal Aviation Administration (FAA): Federal Aviation Administration. National aviation authority of the United States, with powers to regulate all aspects of civil aviation.

7. Lost Link – A loss of the communications between the SUAS and the Remote Pilot in Command's (RPIC) control system where the RPIC can no longer manage the SUAS's flight, and because of the control loss, the SUAS is not operating in a predicable or planned manner.

8. Mean Sea Level (MSL): True altitude, or the average height above standard sea level where the atmospheric pressure is measured in order to calibrate altitude.

9. Notice to Airmen (NOTAM): Issued when there's aeronautical information that could affect a pilot's decision to make a flight. It includes such information as airport or aerodrome primary runway closures, taxiways, ramps, obstructions, communications, airspace, and changes in the status of navigational aids, to name a few. Time-critical and either of a temporary nature or not sufficiently known in advance to permit publication on aeronautical charts or in other operational publications.

10. Operational Waiver: SUAS operators who want to operate any SUAS outside of the Part 107 FAA requirements may request an operational waiver through the FAA.

11. Part 107: The FAA CFR 14 Part 107 is a set of rules for operating a SUAS commercially. It is also used to refer specifically to the certification required before pilots can legally operate to fly commercially.

12. Program Coordinator (PC): The individual responsible for the administrative functions related to the SUAS program.

13. Remote Pilot: Person Manipulating the Controls. A person other than the Remote Pilot in Command (PIC) who is controlling the flight of an Unmanned Aircraft System (SUAS) under the supervision of the remote PIC.

14 Remote Pilot Certificate: Certification issued by the Federal Aviation Administration that allows a person who passed the Aeronautical Knowledge Exam to serve as the Remote Pilot in Command (PIC) for a Small Unmanned Aircraft System (SUAS).

15. Remote Pilot in Command (Remote PIC): A person who holds a Remote Pilot Certificate with an Unmanned Aircraft System (SUAS) rating and has the final authority and responsibility for the operation and safety of a SUAS operation conducted under Part 107.

16. Unmanned Aircraft Vehicle (UAV): An aircraft that is operated without the possibility of human intervention from within or on the aircraft. These are also called remote piloted aircraft or drones

D. SUAS MEMBERS

1. Program Coordinator

a The Chief of Police will appoint a Program Coordinator to oversee the SUAS Program. The Program Coordinator may be at the be the rank of Lieutenant or higher and possess a Part 107 Remote Pilot Certification, whose duties will include the following:

(1) Review and approve training to assess the knowledge, skills, and abilities of program members (RPICs and Visual Observers).

(2) Maintain a current list of all Remote Pilots and Visual Observers.

(3) Ensure policies and procedures conform to current laws, regulations, and best practices.

(4) Maintain/update a record of all approved airspace, and operational waivers with the FAA.

(5) Oversee maintenance of SUAS program equipment.

(6) Review SUAS deployments to ensure compliance with policies and operating procedures.

2. Remote Pilot in Command (RPIC)

a. The RPIC's duties shall include the following:

(1) Possess a valid FAA Part 107 Remote Pilot Certificate and receive training from the Program Coordinator over the department's SUAS equipment.

(2) Conduct pre-flight briefings to all participants of the SUAS operation.

(3) Complete a flight log prior to the end of shift and

notify the Program Coordinator of the flight, including anything noteworthy during the mission.

3. Visual Observer(s)

a. The Visual Observer's duties shall include the following:

(1) Receive approved training to participate in any SUAS operation facilitated by the Program Coordinator and submit documentation to the Personnel and Training Section.

(2) Must maintain a continual visual line of sight of the SUAS while in operation and maintain a 360-degree hazard awareness of the SUAS.

b, Assist the RPIC in carrying out all duties required for the safe operation of the SUAS.

E. ADMINISTRATION

1. General Information

a. Only department-owned SUASs may be operated for SUAS flight missions.

b. Only sworn members of the department may operate a SUAS. Non-sworn members may participate in other functions, such as a Visual Observer.

c. All flights with a SUAS shall be conducted under the FAA Visual Flight Rules and current regulations unless a specific FAA waiver is approved.

d. If a member of the public has an inquiry about a SUAS mission, including how the department deploys and operates the technology, the individual shall be informed the department is using a SUAS within the scope of the FAA and all applicable laws and regulations. The purpose and location for the SUAS mission shall be referred to the supervisor on duty and/or Public Information Specialist. At no point shall any member of the public be granted access to view the video from the RPIC's controller.

2. Flight Documentation

a. All SUAS missions shall be recorded on the flight log and maintained with the SUAS Program Coordinator.

b. All SUAS missions shall be conducted in accordance with FAA regulations.

c. The purpose of the flight and reasons operated shall be identified on the flight log.

d. Any stored data and/or files such as photographs, video or other recordings shall be stored on the approved drive and shall be retained in accordance with the Virginia Records Retention Schedule.

e. An incident report and/or supplement shall be written to document each mission.

F. AUTHORIZED FLIGHT OPERATIONS

1. Flight missions may only be permitted under the authority of a valid search warrant, unless the following exceptions apply, as permitted by §19.2-60.1 of the Code of Virginia:

   a. When an Amber Alert is activated pursuant to § 52-34.3,

   b. When a Senior Alert is activated pursuant to § 52-34.6,

   c. When a Blue Alert is activated pursuant to § 52-34.9,

2. Where use of a SUAS is determined to be necessary to alleviate an immediate danger to any person, including but not limited to:

   a. Missing Endangered Person(s)

   b. Suicidal/Homicidal Suspect(s)

   c. Barricaded/Armed Suspect(s)

   d. Active Shooter incidents

   e. Bomb Threats

   f. Hazardous Material (HAZMAT) incidents

   g. Following an accident investigation where a report is required pursuant to §46.2-373, to survey the scene of such accident for crash reconstruction,

   h. By the Department of Transportation when assisting a

law-enforcement officer to prepare a report pursuant to § 46.2-373,

i. For training exercises related to such uses,

j. If a person with legal authority consents to the warrantless search,

k. To aerially survey any crime scene that is being processed by a detective or the investigations section.

l. To aerially survey a primary residence of the subject of an arrest warrant to formulate a plan to execute an existing arrest warrant or capias for a felony offense,

m. To locate a person sought for arrest when such person has fled from a law- enforcement officer who remains in hot pursuit of such person.

n. To aerially survey the location of a community involvement / community engagement events so that photographs can be placed on the department's social media sites.

3. A flight mission may be authorized if the SUAS is not utilized for Law enforcement purposes, such as a damage assessment, Traffic assessment, flood stage assessment, or wildfire assessment.

4. SUAS operators shall take all reasonable precautions to avoid Inadvertently recording or transmitting images of individuals and areas uninvolved with the mission.

5. If a SUAS must be flown over private property, enroute to an authorized flight area, the RPIC shall operate the SUAS in a manner and at an altitude to avoid disturbing any persons on the ground.

6. Pre-Flight Briefing

a. The RPIC, Visual Observer and any other directly involved persons must participate in the pre-flight briefing, led by the RPIC prior to aircraft launch, which includes, but is not limited to:

(1) Review of the mission's goals and expected outcomes,

(2) Review of current and forecasted weather

conditions,

(3) Review of current Notice to Airmen (NOTAMs) and Temporary Flight Restrictions (TFRs) that have been issued for the proposed flight area through the FAA,

(4) Identification of mission limitations and safety issues such as battery charge, GPS strength and potential for radio interference,

(5) Review of proposed mission AOR - flight area, including maximum ceiling and floor,

(6) Review of communication procedures between RPIC, Visual Observer, and other personnel used to support the mission,

(7) Review of emergency/contingency procedures including aircraft system failure, flight termination, divert, and lost link procedures,

(8) Pre-flight check of all SUAS equipment,

(9) Review of the type of airspace authorization the flight will be conducted under and recorded on the flight log.

G. EMERGENCY PROCEDURES

1. Lost Link Procedures

a. Prior to launch, the RPIC shall ensure that the SUAS has the return-to-home (RTH) feature enabled so the SUAS will climb to the maximum permitted altitude and return to its original launch area.

b. If positive control of the SUAS cannot be maintained, and the SUAS is leaving the mission area or the SUAS poses a risk to life and/or property, the RPIC will continue to attempt to re-establish the link and notify the flight crew.

c. In the event of a lost link during flight, the RPIC will document the lost link in their flight log and notify the SUAS Program Coordinator and/or Field Operations Commander.

2. Loss of Visual Contact Procedures

a. If visual contact cannot be re-established other than a momentary loss of sight, then the RPIC shall initiate lost link procedures. The SUAS operation may resume once the RPIC and/or Visual Observer(s) re-establish visual line of sight of the SUAS.

b. Loss of visual contact procedures shall not apply if the RPIC is operating under an approved FAA operational waiver for flying beyond the visual line of sight (BVLOS).

3. Accident Notification and Investigation

a. In the unlikely event the SUAS causes or is involved in a fatality, serious injury, or property damage over $500 (excluding cost of SUAS), the incident shall be reported immediately to the SUAS Program Coordinator and the FAA within the required time established by the FAA regulations.

b. The SUAS Program Coordinator shall be notified of any damage to the SUAS, regardless of cost.

c. All incidents that are required to be reported to the FAA shall additionally be investigated through an internal affairs investigation.

H. RESTRICTIONS ON USE OF SUAS

1. The SUAS shall not be used for the following:

a. To conduct unauthorized surveillance activities,

b. To collect or use data in any manner that would harass, coerce, or discriminate against any person(s) based upon their ethnicity, race, gender, national origin, religion, sexual orientation, or gender identity.

c. To harass, intimidate or discriminate against any individual or group,

d. To operate in violation of the United States Constitution, federal laws or regulations, and the Code of Virginia.

e. To conduct personal business of any type.

I. FEDERAL AVIATION ADMINISTRATION REGULATORY

OVERSIGHT

1. All missions, regardless if it is operational or for training, shall comply with all applicable federal, state, and local laws and regulations, including all applicable FAA regulations pertaining to the operations and certification of SUAS in 14 CFR Part 107.

2. The Emporia Police Department shall conduct all SUAS flight operations under either a FAA COA or as a Civil Operator. The COA grants permission to fly within specific parameters established by the FAA.

3. Should the FAA become involved in any SUAS mission conducted by the Police Department, the remote PIC shall notify the Team Leader immediately. The Team Leader shall make immediate notification through the chain of command to the Chief or his designee.

4. The SUAS team shall comply with any additional information or regulatory requests from the FAA. Examples of possible FAA requests include:

    a. Requests for:

        (1) Aircraft registration

        (2) Flight Records

        (3) Incident Reports

        (4) Record of deviation from regulations

        (5) Authorizations from air traffic control (ATC)

        (6) Documentation of waivers from specific provisions

    b Requests to test or inspect:

        (1) The SUAS

        (2) The remote PIC or person manipulating the flight controls

        (3) The VO

J. TRAINING

1. Initial Certification

    a. SUAS team members shall pass the FAA Part 107 exam and

be certified as a remote pilot with SUAS rating under 14 CFR Part 107.

b. The SUAS Team Leader or senior pilot shall ensure all SUAS team members meet all FAA regulatory requirements and are qualified to fly an SUAS.

2. Reoccurring training

a. To maintain both the skills and qualifications of a SUAS pilot, each team member shall participate in training as deemed necessary by the Chief or his designee. Each team member shall maintain a current Remote Pilot Certificate with SUAS rating issued by the FAA.

b. All team members shall maintain a professional level of knowledge and competency throughout training.

c. All training hours shall be recorded in the individual pilot's logbook.

d. All team members will have to acquire all training and/or certifications that the Emporia Police Department requires.

e. The UAV Team will have mandatory training hours to complete. These trainings will be conducted and supervised by the UAV Coordinator. A summary of each training will be submitted monthly. The summary will include:

(1) Members attending the training

(2) Training topic and time spent

(3) Instructor(s)

(4) Location of training

K. EQUIPMENT

1. Department issued UAVs shall be for official Departmental use only and shall not be used for non-work related or personal activities.

2. Officers/Detectives shall use only those UAVs issued by the Department.

3. Personally owned UAV equipment or audio/video recording equipment during law enforcement activity or other work time shall not be permitted.

4. Intentional misuse or abuse of UAV equipment will result in disciplinary action.

5. Officers/Detectives shall not obstruct, edit or delete the UAV device's video and/or audio recording.

6. Each officer/detective is responsible for the use and maintenance of the UAV that they have signed out and they must bring apparent problems with the equipment to the attention of a supervisor, UAV Coordinator or the Administrative Services Manager immediately.

L. MAINTENANCE

1. Each UAV shall be inspected prior to each shift and upon completion of a mission or flight.

2. The UAV pilot shall ensure all batteries and receivers are properly charged and all other equipment is in working order.

3. The UAV shall be inspected monthly by the UAV coordinator. These inspections are to be part of the monthly training memorandum.

4. All damages will be documented and turned over to the UAV Coordinator.

M. OFFICER RESPONSIBILITY

1. The responsibilities of all UAV Team members include, but are not limited to:

   a. Maintain all training certifications and re-certifications.

   b. Participate at community service events.

   c. Attendance to all mandatory training

\ d. Maintain all issued equipment

   e. Respond, afterhours, and often with short notice

2. There will be a selection process for the UAV Team. This will be as follows:

   a. Candidate will be a sworn member of the Emporia Police Department.

   b. The selection process will be approved by the Chief of Police.

   c. Must be willing to work overtime to accomplish the program objectives when necessary.

d. Selected team members will be expected to complete an FAA recommended training and pass the FAA Part 107 SUAS Pilots test and all other tests required by the department.

N. SUPERVISOR RESPONSIBILITY

1. Supervisors shall ensure proper performance pursuant to this General Order regarding UAV's. Supervisors shall ensure that officers properly document the activation of their UAV in the associated report.

2. When improper use of the UAV becomes apparent, supervisors shall document the officer's General Order violation according to General Orders, Chapter 16, specifically section 16.1.3.

3. Supervisors shall work to promptly address any technical issues as soon as practical that may arise with the UAV. Only trained personnel may perform diagnostics on, or calibrate or reset, a UAV. Damaged or malfunctioning UAVs shall be repaired by authorized technicians only. UAVs that are inoperable, lost or stolen shall be replaced as soon as practicable.

4. Supervisors shall inspect subordinates' UAVs from time to time to ensure that they are operating properly and that officers are using them in accordance with this General Order.

O. ACCESS OF UAV AUDIO VISUAL DATA

1. The UAV equipment and all data, images, sounds, video, and metadata captured, recorded, or otherwise produced by the equipment shall be the exclusive property of the Emporia Police Department.

2. All access is to be audited by the Administrative Services Manager to ensure that only authorized users are accessing the data for legitimate and authorized purposes.

3. The Administrative Services Manager is responsible for providing the Commonwealth Attorney's Office all videos stored on the department server that has been cleared by arrest or any other request of video that the Commonwealth Attorney may need.

4. Court personnel (e.g. representatives from the Office of the Commonwealth's Attorney, Virginia Indigent Defense Commission, and the private defense bar) may request videos for trial through the Commonwealth Attorney's Office. The Commonwealth Attorney's Office will have access to UAV video for purposes of prosecution and discovery.

P. VIDEO RETENTION

1. UAV recordings shall be retained in City-controlled storage where they are accessible for review in strict compliance with this General Order. Access to recordings is automatically logged and is audited. Recordings may not be edited or destroyed without due authority and documentation of the action taken and the reasons for it.

2. All UAV recordings will be stored in a secured department server under the assigned case number of the mission.

3. All video files shall be securely stored in accordance with the Library of Virginia retention schedule. If a video is re-classified to a different category (e.g. non-evidentiary to evidentiary) the video will be subject to deletion based on the new category and the original date of the recording.

4. The Administrative Services Manager will ensure that the data retention schedule is current and consistent with all applicable laws and regulations. He/she will conduct an annual audit to ensure such consistency.

Q. DIGITAL MEDIA EVIDENCE (DME)

1. All DME shall be securely downloaded at the completion of each mission. The remoted PIC shall record information for each file that shall include the date, time, location, and case reference numbers or other mission identifiers, as well as the identity of the SUAS team members involved in the mission.

2. SUAS team members shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner SUAS DME without prior written authorization and approval of the Chief or designee.

3. All access to SUAS DME shall be specifically authorized by the Chief. or designee, and all access shall be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.

22.3.4 DETAINEE TRANSPORTATION VEHICLE

I. PURPOSE

A. The purpose of this general order is to set forth guidelines to govern the use of the Police Department's Detainee Transportation Vehicle

II. POLICY

A. The Emporia Police Department maintains a dedicated Detainee transport vehicle (DTV) for use in transporting multiple detainees/Detainees and for the temporary placement of an arrestee awaiting transport to the appropriate booking/intake facility. This vehicle is specifically equipped for this task and is to be used only for this purpose.

B. The DTV shall not be used in any pursuit. It is to be used only for its intended purpose and shall not be used as a spare vehicle, passenger van, or for hauling cargo. In addition to the specific guidelines established here, officers shall adhere to the procedures and guidelines set forth in Emporia Police Department's Policy and Procedures Chapter 33.

III. PROCEDURES

A. Vehicle Authorization, Utilization and Guidelines

1. The decision to use the DTV shall be made by any on-duty supervisor, special event supervisor or a member of the command staff when there is an anticipated need to transport multiple detainees.

2. The supervisor/event commander authorizing the use of the van shall designate at least one Emporia Police Officer as the Transport Officer. If necessary and resources allow, a transport team (two officers) may be assigned. In mutual aid situations, an officer from another jurisdiction operating in a mutual aid capacity may be assigned to assist the Emporia Police Officer designated as the Transport Officer. In those circumstances, only the Emporia Police Officer will operate the van.

3. Keys for the Detainee Transport Van will be maintained in Communications. Officers shall sign out the keys on the designated vehicle use log.

4. Prior to placing the van in service, the Transport Officer will inspect the van for contraband, damage, missing equipment, cleanliness, and general condition.

5. At the completion of each transport, the designated transport officer will inspect the Detainee compartment to ensure no contraband, weapons, or personal property has been left in the van.

B. Guidelines for Securing and Transporting Detainees

1. The officer(s) assigned as the Transport Officer(s) will ensure that each passenger is appropriately searched and secured before placing them in the van.

2. Each passenger will be handcuffed prior to being placed in the van. If necessary, additional restraints including leg shackles and/or hobbles and waist chains may be used.

3. Once a detainee is placed in the van, a transport officer will remain with the van and monitor the occupant(s) either directly or using the camera and monitor.

4. Detainees shall only be held in the van before transport for a reasonable length of time under the existing circumstances. Such circumstances include but are not limited to: the number of detainees in the van, the temperature and weather conditions, the demeanor and any combative actions of detainees, the number of officers available to assist the transport officer, the likelihood of additional detentions and the need for space on the van. If the van is occupied and it seems likely that additional persons will be transported, the Transport officer may stage in a safe location near the event/incident scene.

C. Prohibitions against Transporting Detainees

1. No person with an obvious injury or illness shall be transported in the van, except for transportation to and from a medical facility. Refer to Chapter 33 of the Emporia Police Department's Policy and Procedures for guidelines in transporting handicapped, sick or injured persons.

2. Persons exposed to OC spray shall not be placed in the Detainee Transport Van until they have been treated with post exposure care.

3. It is the responsibility of the designated transport officer to ensure that persons secured in the transport van are not left unattended under any circumstances.

4. Females shall always be transported separately from males.

5. When juveniles are transported in the Detainee Transportation

Van they will be transported separately and not with adults.

a. There may be times when a juvenile is transported and an adult is transported in a separate compartment of the DTV.

D. Qualifications and Training

There are no special certifications, licenses or training are necessary to operate the van. However, officers assigned as transport officers must complete a familiarization and be knowledgeable of the operating features of the van including:

1. Size of the van;

2. Detainee compartments and security features;

3. Exterior and interior door locks;

4. Camera and monitor;

5. Seat belts and adjustments;

6. Emergency access/exit points.

E. Designation of Person Responsible for Condition and Maintenance

1. The supervisor authorizing the use of the van is responsible for ensuring that it is cleaned and refueled, and any items used/removed are replaced/returned at the conclusion of the event or incident. The Operations Division Commander (Captain) will ensure routine maintenance and repairs are done.

F. Listing of Equipment in the Detainee Transportation Vehicle

1. The Transporting Officer shall ensure that they have the following equipment when they get into the DTV:

   a. Portable 2-Way Radio
   b. Department issued Cell-Phone

2. The DTV shall be equipped as follows:

   a. Fire extinguisher;

   b. First aid kit;

   c. Trauma kit;

d. Blood borne pathogens kit and PPE;

e. Various restraints:

(1) Handcuffs;

(2) Flex cuffs and cutters;

(3) Leg Irons;

(4) Waist restraint belt;

(5) Hobble restraints.

22.3.4 PRISONER TRANSPORTATION VEHICLE

I. PURPOSE

A. The purpose of this general order is to set forth guidelines to govern the use of the Police Department's Prisoner Transportation Vehicle

II. POLICY

A. The Emporia Police Department maintains a dedicated prisoner transport vehicle (PTV) for use in transporting multiple arrestees/prisoners and for the temporary placement of an arrestee awaiting transport to the appropriate booking/intake facility. This vehicle is specifically equipped for this task and is to be used only for this purpose.

B. The PTV shall not be used in any pursuit. It is to be used only for its intended purpose and shall not be used as a spare vehicle, passenger van, or for hauling cargo. In addition to the specific guidelines established here, officers shall adhere to the procedures and guidelines set forth in Emporia Police Department's Policy and Procedures Chapter 33.

III. PROCEDURES

A. Vehicle Authorization, Utilization and Guidelines

1. The decision to use the PTV shall be made by any on-duty bureau, division, shift, unit, or special event supervisor for a situation or event where there is an anticipated need to transport multiple arrestees.

2. The supervisor/event commander authorizing the use of the van shall designate at least one Emporia Police Officer as the Transport Officer. If necessary and resources allow, a transport team (two officers) may be assigned. In mutual aid situations, an officer from another jurisdiction operating in a mutual aid capacity may be assigned to assist the Emporia Police Officer designated as the Transport Officer. In those circumstances, only the Emporia Police Officer will operate the van.

3. Keys for the Prisoner Transport Van will be maintained in Communications. Supervisors shall sign out the keys on the designated vehicle use log.

4. Prior to placing the van in service, the Transport Officer will inspect the van for contraband, damage, missing equipment, cleanliness, and general condition.

5. At the completion of each transport, the designated transport officer will inspect the prisoner compartment to ensure no contraband, weapons, or personal property has been left in the van.

B. Guidelines for Securing and Transporting Detainees

1. The officer(s) assigned as the Transport Officer(s) will ensure that each passenger is appropriately searched and secured before placing them in the van.

2. Each passenger will be handcuffed prior to being placed in the van. If necessary, additional restraints including leg shackles and/or hobbles and waist chains may be used.

3. Once a detainee is placed in the van, a transport officer will remain with the van and monitor the occupant(s) either directly or using the camera and monitor.

4. Detainees shall only be held in the van before transport for a reasonable length of time under the existing circumstances. Such circumstances include but are not limited to: the number of detainees in the van, the temperature and weather conditions, the demeanor and any combative actions of detainees, the number of officers available to assist the transport officer, the likelihood of additional detentions and the need for space on the van. If the van is occupied and it seems likely that additional persons will be transported, the Transport officer may stage in a safe location near the event/incident scene.

C. Prohibitions against Transporting Detainees

1. No person with obvious injury, illness or mental illness shall be transported in the van. Refer to Chapter 33 of the Emporia Police Department’s Policy and Procedures for guidelines in transporting handicapped, sick or injured persons.

2. Persons exposed to OC spray shall not be placed in the Prisoner Transport Van until they have been treated with post exposure care.

3. It is the responsibility of the designated transport officer to ensure that persons secured in the transport van are not left unattended under any circumstances.

4. Females shall always be transported separately from males.

5. Juveniles will not generally be transported in the Prisoner Transport Van. For the purposes of this policy, juveniles are those individuals under eighteen (18) years of age. However, emergency situations may require the transport of juveniles. An on-scene supervisor will make that determination. If juveniles are transported, they must be separated from adults

C. Qualifications and Training

There are no special certifications, licenses or training are necessary to operate the van. However, officers assigned as transport officers must complete a familiarization and be knowledgeable of the operating features of the van including:

1. Size of the van;

2. Prisoner compartments and security features;

3. Exterior and interior door locks;

4. Camera and monitor;

5. Seat belts and adjustments;

6. Emergency access/exit points.

D. Designation of Person Responsible for Condition and Maintenance

1. The supervisor authorizing the use of the van is responsible for ensuring that it is cleaned and refueled, and any items used/removed are replaced/returned at the conclusion of the event or incident. The Operations Division Commander (Captain) will ensure routine maintenance and repairs are done.

E. Listing of Equipment in the Prisoner Transportation Vehicle

1. The PTV shall be equipped as follows:

a. Two-way radio;

b. Fire extinguisher;

c. First aid kit;

d. Trauma kit;

d. Blood borne pathogens kit and PPE;

e. Various restraints:

(1) handcuffs;

(2) flex cuffs and cutters;

(3) Leg Irons;

(4) Waist restraint belt;

(5) Hobble restraints.

22.4 POLICE CANINE

22.4.1 CANINE OPERATIONS

A. Purpose

To establish guidelines for the proper utilization and maintenance of the Emporia Police Department's canine team.

B. Policy

It shall be the policy of the Emporia Police Department to develop and maintain highly trained canine teams to assist patrol officers of the police department in the accomplishment of three main objectives: (1) the deterrence of criminal activity; (2) to aid in the locating of illegal drugs that may otherwise go undetected; (3) to maintain high visibility within the community to build a sense of security among the citizenry and to provide a deterrent to those who deal in illegal drug activity. The police canine team will be used within the jurisdiction of the City of Emporia and the County of Greensville.

C. Legal Issues

The use of a specially trained canine is a valid investigative tool. The courts have held that the use of certain scent-enhancing instruments (dogs) to aid in the detection of contraband or evidence in unprotected areas is a permissible search under the Fourth Amendment. The United States Supreme Court has determined the following three (3) criteria when it comes to utilizing a police canine on a traffic stop:

1. If an officer can have a canine conduct a free air sniff of the exterior of an automobile during the normal time frame of a traffic stop, then the Fourth Amendment is not violated;

2. If an officer, without reasonable suspicion beyond the traffic offense, detains a traffic violator beyond the normal time frame for a traffic stop, the officer exceeds the scope of the traffic stop, and the canine sniff will likely be held to violate the Fourth Amendment;

3. If during a traffic stop, an officer develops reasonable suspicion of drug possession or distribution, then the officer can detain the vehicle and occupants for a reasonable period of time to wait on a canine to conduct a sniff of the vehicle.

D. Procedures

1. The canine team shall consist of canine trained handlers and certified, trained police dogs.
2. Ownership of Dog

a. All dogs accepted for use by the Emporia Police Department are the sole property of the Emporia Police Department. Proper care and maintenance is the responsibility of the handlers. The officers assume this responsibility at the time the officers are assigned to the canine teams.

b. All medical needs will be provided by an approved veterinary service as designated by the Operations Division Commander.

c. Canines will not be used for any purpose other than official duties. Prohibited uses include:

(1) Use for personal gain;

(2) Entry in any dog show or exhibition, or registration with any society or organization without approval from the Chief of Police or his/her designee;

(3) Use or permit the use of the canine for breeding.

d. The K-9 will not be utilized in area where conditions exist that is adverse to the K-9's health or welfare, i.e. hazardous material, dangerous chemicals, or an armed suspect.

e. Upon determination that a K-9 can no longer perform a police service, the Chief of Police will ascertain whether the handler wants to take possession of the canine. The Chief of Police will relinquish ownership of the canine from the City over to the handler.

E. Selection of Canine Handlers:

1. K-9 handlers will be selected from volunteers.

2. The Candidate must have two years of police experience.

3. The candidate must maintain a suitable residence to house a K-9 kennel.

4. No one residing in an apartment will be considered.

5. Candidates must possess good work habits, dependability and judgment.

6. The candidate must be in and maintain good physical condition.

7. Must be able to devote off duty time to the canine.
8. The candidate will be required to go through the Department's selection process for specialized positions.

F. Canine Training

1. K-9 team members must meet or exceed all requirements of training.

2. Basic Training:

    a. All new members of the K-9 team will attend and graduate from an approved K-9 Basic School and will instructed the basics for all phases of Police K-9 operations to include:

        (1) Obedience- to include all phases of control work

        (2) Agility-to include all obstacles that may be encountered in a street environment.

        (3) Scent Work

    b. Specialized Detector Training:

        (1) The K-9 team will be taught and detect the odor of narcotics and to alert on those odors. The K-9 will be taught to detect at least the following odors:

            (a) Marijuana

            (b) Ecstasy

            (c) Cocaine

            (d) Crack Cocaine

            (e) Heroin

            (f) Methamphetamine

    c. Retraining

        (1) The K-9 team will participate in at least 16 hours training per month.

    d. Certifications- The K-9 handler's supervisor will ensure that:

        (1) The K-9 team maintains a level of proficiency that is standardized by their level of training.

        (2)The Operations Division Commander may decertify any handler/canine due to age/health reasons regarding the dog, level of proficiency not meeting standards set for that K-9 team or disciplinary action.

        (3) All certifications achieved by the K-9 team will be kept in the

canine's file as a permanent record. This record may be used in court to justify the team's level of proficiency to be certified as an expert witness.

(4) If the team is decertified, then a letter detailing the circumstance will be sent to the Chief of Police.

G. Canine Vehicle

1. The K-9 vehicle will be equipped to transport the dog and maintain security for the animal.

2. The K-9 handler is the only person authorized to operate the K-9 vehicle.

3. The K-9 handler is responsible for ensuring that the K-9 vehicle is maintained as needed for departmental use.

4. The K-9 handler must possess a Virginia Motor Vehicle Operator's license.

5. The K-9 vehicle will be utilized for the transportation of the canine.

6. The K-9 vehicle will be equipped with any special items that may be required for canine operations and care.

7. Only the Department K-9 will be transported in the police K-9 vehicle. Transporting other animals in this vehicle will increase the potential police dog contracting various diseases.

H. Canine Assignments, Responsibilities and Duties

1. The K-9 handler will be assigned to the Operations Division.

2. All rules, regulations, policies and procedures pertaining to police officers will apply to the K-9 Officer.

3. The K-9 handler is responsible for maintaining the dog's level of proficiency.

4. The K-9 handler will work assignments and shifts as assigned by the Operations Division Commander or the On-Duty Supervisor.
5. The K-9 will not be used in any manner to cause or appear to cause a threat to the general public.

6. The K-9 handlers can only conduct public demonstrations with the approval of the Chief of Police.

7. K-9 handlers will be held accountable for the actions of the animal.

I. Request and Utilization of the Canine

1. Officers needing K-9 assistance for a free air sniff during a traffic stop, must first make contact with the occupants of the vehicle prior to calling for the K-9 team.

2. A free air sniff will only be conducted when the K-9 team is on-duty.

3. If an Officer is requesting a free air sniff of a vehicle, the allowable time limit to conduct a free air sniff is based upon the average time it takes a reasonable officer to issue a traffic summons. Normally, it may be 10-15 minutes, but it will be the officer's responsibility to articulate the reasonableness of time.

4. If called and the K-9 handler in his training and experience decides that either the time limit has expired or there is no reasonable suspicion, then the K-9 handlers has the authority to not utilize his canine.

5. Officers requesting K-9 assistance during the K-9 team's on-duty hours shall be made through their Supervisor.

6. If the K-9 team is off-duty, then the requesting officer must have reasonable suspicion and discuss those circumstances with the on-duty supervisor. The on-duty supervisor will contact the K-9 Officer to see if he is available to respond to the scene.

7. If the K-9 team is unavailable, or if the agency has temporarily suspended the K-9 program, then the officer must look at other alternatives or release the subjects.

8. The K-9 team will be utilized for an open area search in an attempt to locate narcotics that may have been discarded by a suspects attempting to elude police either during a vehicle or foot pursuit.

9. The K-9 team may conduct residential/business building sniffs if the police have a legal right to be there, under the authority of a search warrant or if the owner gives consent to have the building searched

10. When the K-9 handler gets a request from another criminal justice agency, except the Greensville County Sheriff's Office he will advise his Lieutenant who must notify the Chief of Police.

J. Canine Equipment- The purpose of this order is to list the specialized equipment that is issued to a K-9 handler and to ensure accountability. The K-9 handler utilizes the special equipment to perform their assigned function. The K-9 handler is responsible for maintaining the equipment issued to them is in good condition.

1. Officers assigned to K-9 assignment will be issued a Class A, as well as a Class B uniform. They will also be issued the following equipment:

a. Police Canine

b. K-9 Kennel

c. Nylon Duty Belt

d. Exterior Cover for their Body Armor

e. Boots

f. Bite Sleeve

g. Ballistic Kevlar Vest with Police Identifiers

2. The following equipment will be issued to each K-9 handler for the use and care of their assigned K-9:

a. 3 Leads- 30', 6' and 4'

b. Assorted Tennis Balls and Kongs

c. 2 Collars- 1 regular and 1 with "POLICE" identifier

d. Narcotics Safe Kit for Training Aids

e. Assorted Grooming Tools

f. Food and Water Pans

K. Medical Care of the Canine

1. The K-9 handler will ensure that the Department canine is up to date on all of their shots and wellness visits.

2. All visits and examinations at the Veterinary office is paid by the Department.

3. The K-9 handler will ensure that he receives copies any veterinary records so that he/she can place them in the animal's medical file.

L. Compensation for Canine Handlers

1. K-9 handlers will receive fourteen (14) hours per month of compensation for the care and maintenance of the canine.

2. The hours accumulated during the month will be documented on the K-9 handler's time sheet specifying K-9 maintenance.

3. K-9 handlers are provided with an assigned patrol vehicle.

M. Drug Detection Training Aids

1. The Emporia Police Department recognizes that maintenance and proficiency of the Department canines is vital to the operations and integrity of the canine and the canine handler. Thus, the Department has entered into an agreement with the Drug Enforcement Administration to used controlled substances as training aids.

2. The K-9 handler must have a Commonwealth Board of Pharmacy license, as well as a Drug Enforcement Administration license to receive narcotics from the DEA.

3. Once the narcotics are received from the DEA, the K-9 handler will ensure that the narcotics are securely locked in the locker in the office of the Property and Evidence Custodian.

4. The K-9 handler will log those narcotics out of the locker in his ledger only during times that he will be training with the canine.

5. After the K-9 handler has taken those narcotics out of the locker in the Property and Evidence Office he will ensure that they are property stored in a locked contained located inside of his K-9 vehicle.

6. Any training aid that is assigned to a canine handler can be randomly audited at any time by the canine handler's supervisors at any time.

7. Once the training aid has been determined to be not sufficient any longer due to loss of odor the canine handler can submit the assigned narcotics back to the DEA and request a fresher supply.

22.5 POLICE RESPONSE

22.5.1 RESPONSE PROCEDURES/USE OF EMERGENCY EQUIPMENT

A. Unsafe police driving can and does result in serious injury and death to police officers, innocent civilians, and suspects. It can and does cause massive civil liability and serious possibility of criminal prosecution of police officers. This Department sets this policy accordingly.

B. Public safety and protection of human life are paramount concerns. The need or desire to apprehend immediately all violators of the law will be subservient to the need for reasonably safe operation of police vehicles. Police response must be governed by the nature of the occurrence, the amount of information a caller or complainant provides and the accuracy of that information.

C. During daily police operations, many calls are received from citizens, which concern matters of routine services and complaints. In the majority of these calls the situation reported is neither urgent nor of an emergency nature. An officer responding to such an assignment would not be justified in operating the police vehicle in a manner other than that defined as normal driving. In other cases, however, an officer may or may not be justified to expedite to the location of a call, depending upon the nature of the call, the seriousness of the situation, and the variable condition of traffic congestion, weather, road surface, etc., present at the time. It would not be possible to establish a fixed order or priority to include every possible situation, but the determining factor when considering police response is the threat to human life.

D. Any situation, in which there is a high probability of death or serious bodily injury to a person, is one that calls for action that is immediate and swift. Recognizing that the protection of human life is paramount, the responding officer must safely get to the location of the occurrence as soon as possible, without danger to the officer or to others. The following procedures are offered as guidelines for responding to non-emergency, urgent and emergency calls.

E. Non-Emergency Calls – This is a routine response whereby a normal operating condition in which police officers respond to calls for service by driving in a safe and courteous manner while adhering to all traffic laws. Officers will proceed in a timely manner and are authorized to conduct other police business of a more pressing nature while enroute to the call.

1. The Department will provide a normal response to the following types of calls:

    a. Reported or suspected crimes of a non-emergency nature.

    b. Traffic accidents or problems of a non-emergency nature.

c. Calls to assist a citizen.

F. Urgent Calls - These calls indicate an immediate response to the location requested. Officers will immediately proceed directly and safely to the call by the most expedient route without the use of emergency equipment. However, the officer may utilize the emergency equipment to provide an immediate response if the officer believes it necessary based on the nature of the call, the officer's personal knowledge of the situation, the officer's location in traffic, or other mitigating circumstances. Officers must be able to justify their actions.

1. The Department will provide an immediate response to the following types of calls:

   a. Reports of past occurrence of crimes against persons.

   b. Alarms, disturbances or disorderly persons calls.

   c. Crimes in progress where no information has been received which would indicate a life-threatening situation exists.

G. Emergency Calls - These calls indicate a maximum response to the location requested. Officers will immediately proceed directly and safely to the call by the most expedient route, and under normal circumstances will have the emergency lights and siren in operation to facilitate and expedite their response.

1. An emergency vehicle may only request the right-of-way. Emergency lights and siren do not automatically give the officer the right-of-way. The officer must operate with due regard for the safety of all persons using the roadways and in conjunction with state law.

2. The Department will provide an emergency response to the following types of calls:

   a. Officer needs help.

   b. Crimes in progress where information received indicate a life-threatening situation.

   c. Accidents with life threatening injury.

H. Use of Emergency Equipment - Officers shall utilize their emergency equipment only when authorized, when required by the nature of their assignment, or when confronted with a situation where there is a need for the use of such equipment.

1. Emergency Lights

   a. Emergency lights shall be used in conjunction with the siren to signal other roadway users that emergency conditions exist and the right of way should be relinquished to the police vehicle. Officers shall not assume that the use of lights and siren will automatically give them the right of way. Even though the law requires that emergency vehicles be yielded the right of way, officers are still obligated to drive with due regard for the safety of others.

   b. Emergency lights will be utilized in accordance with the Code of Virginia, 46.2-920, and General Orders 22.2.1, *Response Procedures/Use of Emergency Equipment,* and 22.2.2, *Pursuits of Motor Vehicles*. Emergency lights will be utilized when stopping violators, when assisting motorists on a roadway, and when parking or stopping a police vehicle on a roadway. When stopped, officers shall consider whether they can safely turn off their headlights to conserve the electrical system of their cruiser and to prevent inadvertently blinding other motorists.

2. Siren

   a. The siren shall be used in accordance with the Code of Virginia, 46.2-920, and General Orders 22.2.1, *Response Procedures/Use of Emergency Equipment,* and 22.2.2, *Pursuits of Motor Vehicles*.

   b. The siren may be used to signal violators to stop when other means off attracting the violator's attention have failed.

I. Hazardous Warning Lights - Hazardous warning lights are defined as the vehicle's four way flasher lights.

1. These lights may be used in conjunction with the emergency lights and only when the vehicle is stationary.

J. Spotlight/Alley Lights

1. These lights may be used to illuminate the interior of the violator's car when officers suspect a threat to their safety. Officers should exercise care not to allow themselves to be silhouetted by the light.

2. These lights shall not be used to signal violators to stop due to the possibility of temporary blindness to the violator and to other drivers.

K. Public Address System - The public address system may be used when officers wish to correct the movement of a violator, from a safe distance, to minimize the hazards to the officers. The system may also be used to instruct the violator to a safe location to stop, for instructing persons during

unusual conditions, alerting citizens to hazardous conditions, or for making general notifications to large crowds.

22.6. POLICE PURSUITS

22.6.1 PURSUITS OF MOTOR VEHICLES

A. Pursuit driving is that driving which involves the pursuit and apprehension of a violator or violators in a motor vehicle. Police pursuit driving must be done in a manner consistent with the Code of Virginia, 46.2-920, which states that emergency vehicles are exempt from regulations in certain situations; exceptions and additional requirements.

1. The driver of any emergency vehicle, when such vehicle is being used in the performance of public services, and when such vehicle is operated under emergency conditions, may, without subjecting him/herself to criminal prosecution:

   a. Disregard speed limits, while having due regard for safety of persons and property.

   b. Proceed past any steady or flashing red signal, traffic light, stop sign, or device indicating moving traffic shall stop, if the speed of the vehicle is sufficiently reduced to enable it to pass a signal, traffic light or device with due regard to the safety of persons and property.

   c. Park or stop notwithstanding the other provision of this chapter.

   d. Disregard regulations governing a direction of movement of vehicles turning in specified directions so long as the operator does not endanger life or property.

   e. Pass or overtake, with due regard to the safety of persons and property, another vehicle at any intersection.

   f. Pass or overtake with due regard to the safety of persons and property, while enroute to an emergency, other stopped or slow-moving vehicles, by going off the paved or main traveled portion of the roadway on the right. Notwithstanding other provisions of this squad, vehicles exempted in this instance will not be required to sound a siren or any device to give automatically intermittent signals.

2. The exemptions granted to emergency vehicles by subsection A of this policy shall apply *only when* the operator of such vehicle displays a flashing, blinking, or alternating emergency light or lights and sounds a siren, exhaust whistle, or air horn designed to give automatically intermittent signals, as may be reasonably necessary. The exemption in subsection A shall not

protect the operator of any such vehicle from criminal prosecution for conduct constituting reckless disregard of the safety of persons and property. Nothing in this policy shall release the operator of any such vehicle from civil liability for failure to use reasonable care in such operation.

B. Initiation of Pursuit - There are occasions when individuals attempt to flee from police authority, or refuse to stop when given a signal to do so. The pursuit shall begin only when the suspect refuses to stop when given a signal to do so and the necessity of immediate apprehension **outweighs** the level of danger. A vehicular pursuit may be justified when the officer knows or has reasonable suspicion to believe the suspect:

1. Has committed or attempted to commit a violent felony.

2. Has committed or attempted to commit a violent misdemeanor.

3. Has committed or attempted a weapons violation.

4. Has committed or attempted to commit a felonious Part 1 Property Crime; Burglary, Arson, or Auto Theft.

5. Is driving under the influence.

6. Involved in reckless driving, where reckless driving is the original offense.

7. Speeding

C. Termination of a Pursuit –

1. In most circumstances, the decision by an officer to abandon a pursuit is the most prudent course of action. The termination of a pursuit does not prohibit the following of a vehicle in accordance with all traffic laws, or remaining in an area to reinitiate pursuit if the opportunity and conditions permit, except as stated in General Order 22.6.1 A1. Officers who disregard traffic regulations are not operating under authority of the State Code or departmental policy, and are responsible for the consequences of their actions.

2. The Initiating Officer, On-Duty Supervisor or members of the Command Staff have the authority to terminate a vehicle pursuit.

D. Initiating Officer's Responsibility

1. When an officer initiates a pursuit, the officer shall utilize the emergency lights and siren in accordance with the Code of Virginia 46.2-920. Whenever possible, use of unmarked police vehicles or non-police

vehicle chassis SUV (Sport Utility Vehicle) as pursuit vehicle should be avoided. As soon as a marked police vehicle is available to take over the pursuit, the unmarked vehicle or non-police vehicle chassis SUV shall terminate. Continued participation by the unmarked vehicle or non-police vehicle chassis SUV may be justified if the officer reasonably believes that termination would present a greater threat to public safety, or the safety of the officer remaining in the pursuit. Vehicles not equipped with emergency lights and sirens shall not pursue.

2. The pursuing officer shall immediately broadcast the following:

   a. Their radio designator;

   b. Location and direction of travel;

   c. Reason for the pursuit;

   d. All available information on pursued vehicle and occupants.

3. During the pursuit, a safe distance shall be maintained between vehicles. This will enable the pursuing officer to duplicate any sudden maneuvers the suspect makes and ensures that no collision will occur if the suspect makes a sudden stop.

4. The officer should take into consideration the conditions present at the onset of the pursuit. These conditions can include but are not limited to: weather conditions, road conditions (wet, icy), traffic volume, etc.

E. Secondary Officer's Responsibility

1. At no time will more than two police vehicles be directly involved in a pursuit except in instances where a specific need for them can be clearly defined. If more assistance is necessary, the number of units will be determined by the nature of the offense, the number of suspects, or other clear articulable facts that would justify the increased hazard. The supervisor will make a decision whether additional resources are needed in the pursuit. Officers joining or participating in a pursuit without the specific, acknowledged authority of a supervisor shall be subject to discipline.

2. The second officer is responsible for all radio transmissions regarding the pursuit. The second officer shall maintain a safe distance from the pursuing police vehicle.

3. There should be no attempt by officers to pass other units unless the passing is coordinated with the unit to be passed.

4. Officers not involved in the pursuit shall limit any radio transmissions to emergency broadcasts.

F. Communications Personnel Responsibility - The dispatcher shall:

1. Advise all units to clear the radio;

2. Broadcast all information concerning the pursuit and notify the supervisor;

3. Alert contiguous jurisdictions of the pursuit;

4. Query DMV, VCIN and NCIC for data on the pursued vehicle and occupants.

G. Supervisor's Responsibility - The supervisor shall:

1. Monitor the pursuit and ensure compliance by police and communications personnel of this policy.

2. Determine and make assignments to the officers assisting in the pursuit.

3. Continuously evaluate the justification for the pursuit by scrutinizing information from the officers involved and how it applies to pertinent Department policy. If policy is not followed or the hazards become too great, the supervisor shall order all officers to terminate the pursuit.

4. If the pursuit ends in a motor vehicle crash in the City of Emporia, whether an Emporia police vehicle is involved or not, the on-duty supervisor is responsible for investigating the motor vehicle crash. An FR-300 will be conducted even if the accident is non-reportable.

H. Forcible Stopping – The use of any of these tactics is to be considered as an application of deadly force.

1. Rolling Roadblock – Since the use of a rolling roadblock may be considered an application of deadly force and places EPD personnel at **GREAT RISK**, this procedure should *only be utilized in extreme circumstances*. There are occasions when extraordinary circumstances arise from instances in which felons flee from police authority or traffic violators refuse to stop when given a signal to do so. In such instance, officers must recall that the condition outlined in General Order 1.3.2, *Use of Deadly Force*, must be considered prior to the use of a rolling roadblock. Officers involved in these circumstances may use a rolling roadblock to stop a pursued vehicle after notifying and receiving approval from their supervisor. Circumstances under which a rolling roadblock may be utilized; but are not limited to, the following:

a. When a dangerous fleeing felon is presenting an imminent threat to public safety.

b. When the operator of a vehicle clearly displays obvious disregard for the lives and safety of others.

c. When the operator of a vehicle appears to be incapacitated and fails to stop when directed to do so.

2. Procedure for Rolling Roadblock - A rolling roadblock shall be implemented by using three units to box in the pursued vehicle and slow its rate of speed to affect a safe, forced stop, minimizing the risk of serious injury and property damage. This method requires extreme caution because it places the officer in the danger zone if the suspect is armed, and may expose the police vehicle to ramming by the suspect. Rolling roadblocks shall be used in accordance with General Order, 22.6.1, *Pursuits of Motor Vehicles.*

3. Stationary Roadblock – The use of a stationary or rolling roadblock and/or intentionally striking the suspect vehicle is only to be used **as a last resort**, when all other means have failed to stop and apprehend a person fleeing in a motor vehicle who presents an immediate threat to life or injury to any person. The application of this tactic may be considered use of deadly force and places the officer(s) at **great risk.** The shift supervisor on duty must approve the use of such tactics and shall follow these guidelines:

   a. Under no circumstances shall a citizen's vehicle be utilized to establish a roadblock. Only marked police vehicles will be used in a roadblock.

   b. Officers shall not remain in any vehicle being utilized in a roadblock and shall select a position of safety from which to monitor the roadblock. All officers shall be on the same side of the roadway in the event of the use of firearms to avoid a cross-fire situation.

   c. All emergency lights and headlights shall be operating during the roadblock activity, provided headlights, searchlights, spotlights and takedown lights shall not be used during the conduct of the roadblock in such a manner as would likely blind or impair the vision of a driver of a moving vehicle.

   d. The roadblock must be clearly visible and provide adequate warning to allow vehicles to come to a safe stop, and must provide an avenue of escape to the pursued vehicle.

e. The dispatcher shall be advised of the exact location of the roadblock and all pursuing units shall be notified by radio of the existence and location of the roadblock.

f. If weather or road conditions do not allow the clear visibility sufficient to permit a safe stop of the suspect vehicle, the roadblock will not be used.

g. Safety of officers and civilians shall remain the primary concern in utilizing a roadblock.

4. Ramming – In the course of a pursuit or response, deliberate contact between vehicles to include forcing the pursued vehicle into parked cars, ditches or other obstacles or intentionally ramming the suspect vehicle *is considered an application of deadly force, placing officer(s) at great risk and is prohibited except for in the most extreme situations where deadly force is warranted*.

5. Tire Deflation Device - The Emporia Police Department utilizes the tire deflation device in forcible stopping situations. The tire deflation device shall only be utilized with a supervisor's approval. Such situations that must be considered is the original offense committed, the time of day, and roadway conditions.

   a. To deploy the tire deflation device, the officer shall:

      (1) Consider the safety of the public, the offender, and him or herself.

      (2) The officer shall park his/her cruiser on the shoulder of the highway and activate all emergency lights.

      (3) The officer shall then remove the tire deflation device.

      (4) The officer will then propel the tire deflation device into the projected path of the fleeing vehicle.

      (5) Once the tire deflation device is propelled into the roadway the officer will pull slightly on the rope that is attached to extend the tire deflation device.

      (6) Once contact is made with tire deflation device from the fleeing vehicle, the officer shall not hold any part of the rope attached to the system.

      (7) Once deployed, the officer will pull on the rope to retract the tire deflation device to its original position.

(8) Department sworn personnel will undergo training on pursuits, the use of the tire deflation device; as well as roadblocks, and all types of forcible stopping techniques.

b. Officers shall not deploy the tire deflation device on, unless there are specific articulable circumstances that would warrant the use of the tire deflation device on those vehicles listed below:

(1) Motorcycles,

(2) Hazardous Materials Vehicle,

(3) Passenger and School Buses,

(4) Hostage Situations.

I. Inter-jurisdictional Pursuits

1. Inter-jurisdictional Pursuits by Other Agencies

a. When a pursuit is originated by another jurisdiction and enters the City of Emporia, the shift supervisor will determine what assistance is to be rendered and make assignments accordingly.

b. Officers will not fall in line and continue pursuits outside the City limits when the pursuit was initiated by another agency.

c. If the suspect is apprehended, charges of all violations known to have been committed in the City of Emporia will be filed.

2. Inter-jurisdictional Pursuits by the Emporia Police Department

a. If Emporia Police officers pursue a vehicle into another jurisdiction, the dispatcher will notify the appropriate jurisdiction by telephone or radio requesting assistance.

b. Except in case of serious felonies, i.e. homicide, malicious wounding, robbery, arson, kidnapping, Emporia Officers shall, as soon as sufficient assistance has joined the pursuit, discontinue the pursuit and proceed, without emergency equipment and in accordance with all laws, in the direction of the pursuit or to the scene of apprehension.

c. If the apprehension is made in Greensville County the suspect will be brought to the Southside Regional Jail for processing. In all other cases the suspect will be taken to the nearest Magistrate.

J. Administrative Review of Police Pursuits, Roadblocks and Forcible Stoppings –

1. Upon conclusion of a police pursuit, roadblock or forcible stopping the initiating officer will complete a Blue Team entry regarding the facts and circumstances regarding the incident.

2. All officers or detectives are required to complete the Blue Team report prior to the end of their tour of duty.

3. Once the Officer has completed their Blue Team entry they will e-mail it to the on-duty patrol sergeant or the on-duty Lieutenant if the Sergeant has been involved in the pursuit and copy their chain of command in the e-mail.

4. If either the on-duty Sergeant or Lieutenant was involved in the vehicle pursuit, then the officer involved will send his Blue Team report to the Operations Division Commander and copy

5. Either the Patrol Sergeant, Lieutenant or Operations Division Commander will begin a review of each pursuit that occurs during his/her shift, including all officers involved, as soon as practical following the incident. This review shall include:

   a. A copy of the Incident Report.

   b. Completed Blue Team Report, which shall include:

      (1) comprehensive statements from all personnel involved;

      (2) reason(s) for initiating pursuit;

      (3) location and route of pursuit;

      (4) whether pursuit resulted with an apprehension or termination;

      (5) if pursuit was terminated, by whom and reason;

      (6) if apprehension was made, the arrestee's name and charges;

      (7) if there were damages or injuries associated with the pursuit;

      (8) if departmental policy was followed throughout, and explanation for deviations from policy;

      (9) any other pertinent information that would assist in the critique of this action.

(10) If problems are noted by the supervisor that could be remedied with additional training these recommendations will be made.

(11) Whenever possible, this remediation should be conducted by the officers within the Police Department.

6. For notification purposes, the Initiating Officer shall e-mail the Blue Team Entry that he/she has completed to either the on-duty Patrol Sergeant, Lieutenant or Operations Division Commander and send a copy to their chain of command so that they may be made aware of the activity.

a. Either the on-duty patrol sergeant, lieutenant or Operations Division Commander will perform an administrative review of the pursuit, roadblock or forcible stopping.

b. The administrative review will be conducted to ensure that all policies and procedures have been followed. In addition, the supervisor will address positive and negative aspects of the incident, as well as using the administrative review as a training tool for all officers involved.

c. Once the review is completed, the supervisor will pass the documents forward to their appropriate division commander.

d. Once the appropriate division commander has reviewed the administrative review they will forward it to the Major who will then forward it to the Chief of Police for inclusion in the IA Pro database.

e. The Chief of Police will review the comments by the shift supervisor and division commander and will either forward the administrative review into IA Pro or send it to Internal Affairs for investigation.

K. Annual Analysis – The Chief of Police will conduct an annual analysis on all vehicle pursuits. This analysis should address patterns or trends in vehicle pursuits as well as a review of the policies and reporting procedures relating to police pursuits.

L. Initial Training – Police and Communication personnel shall receive training on the police department's police vehicle pursuit policies during field training for police personnel and on-the-job training for communications personnel. This training will be documented on the FTO/CTO Mastery Checklist.

M. Annual Review – On an annual basis, all police personnel to include communications personnel will receive a documented review of the Emporia Police Department's pursuit policy.

22.6. POLICE PURSUITS

22.6.1 PURSUITS OF MOTOR VEHICLES

A. Pursuit driving is that driving which involves the pursuit and apprehension of a violator or violators in a motor vehicle. Police pursuit driving must be done in a manner consistent with the Code of Virginia, 46.2-920, which states that emergency vehicles are exempt from regulations in certain situations; exceptions and additional requirements.

1. The driver of any emergency vehicle, when such vehicle is being used in the performance of public services, and when such vehicle is operated under emergency conditions, may, without subjecting him/herself to criminal prosecution:

   a. Disregard speed limits, while having due regard for safety of persons and property.

   b. Proceed past any steady or flashing red signal, traffic light, stop sign, or device indicating moving traffic shall stop, if the speed of the vehicle is sufficiently reduced to enable it to pass a signal, traffic light or device with due regard to the safety of persons and property.

   c. Park or stop notwithstanding the other provision of this chapter.

   d. Disregard regulations governing a direction of movement of vehicles turning in specified directions so long as the operator does not endanger life or property.

   e. Pass or overtake, with due regard to the safety of persons and property, another vehicle at any intersection.

   f. Pass or overtake with due regard to the safety of persons and property, while enroute to an emergency, other stopped or slow-moving vehicles, by going off the paved or main traveled portion of the roadway on the right. Notwithstanding other provisions of this squad, vehicles exempted in this instance will not be required to sound a siren or any device to give automatically intermittent signals.

2. The exemptions granted to emergency vehicles by subsection A of this policy shall apply *only when* the operator of such vehicle displays a flashing, blinking, or alternating emergency light or lights and sounds a siren, exhaust whistle, or air horn designed to give automatically intermittent signals, as may be reasonably necessary. The exemption in subsection A shall not protect the operator of any such vehicle from criminal prosecution for conduct constituting reckless disregard of the safety of persons and

property. Nothing in this policy shall release the operator of any such vehicle from civil liability for failure to use reasonable care in such operation.

B. Definitions:

1. Authorized Pursuit Vehicles- Police package vehicles with emergency lights and siren are authorized to initiate or participate in a pursuit in compliance with additional regulations. If an undercover vehicle, other marked non-police package vehicle initiates a pursuit, a police package vehicle should assume the position as the primary vehicle as soon as reasonably possible. Undercover vehicles and other marked non-police package vehicles should continue as a secondary/back-up officer until such time as a police-package vehicle becomes available to assume their position.

2. Following a Vehicle- Officers are following a vehicle, when they mimic the movements of a vehicle, but have not yet engaged in apprehension efforts. Officers may be driving in close proximity to a suspect vehicle, but do not activate emergency lights and siren. If a suspect vehicle increases speed above the legal limit or begins disregarding traffic signs and signals, the officer must either initiate a traffic stop or immediately discontinue following the vehicle unless it meets the criteria for a motor vehicle pursuit.

3. Reasonable Suspicion- For the purposes of this policy, an officer must be able to articulate specific facts which, when taken in the totality of the circumstances, reasonably indicate that a suspect did commit or has attempted to commit a violent felony or a felony controlled substance violation as outline in this policy.

4. Vehicle Pursuit- A multi-stage process by which a police officer attempts to initiate a traffic stop and a driver resists the directive to stop and increases speed or takes evasive action while refusing to stop their vehicle. Once the driver of a suspect vehicle fails to obey an officer's directive to stop with emergency lights and siren activated, the terms of this pursuit policy will apply.

5. Violent Felony- For the purpose of this policy, shall be when a suspect has committed or attempted to commit:

   a. Murder;

   b. Assault with a Deadly Weapon with Intent to Kill, Maim or Disfigure;
   c. Armed Robbery;

   d. Rape;

e. Use of Explosives/Terrorist Act;

f. Kidnapping;

g. Carjacking;

h. Aggravated Assault on a Law Enforcement Officer.

C. Decision to Pursue - There are occasions when individuals attempt to flee from police authority, or refuse to stop when given a signal to do so. The pursuit shall begin only when the suspect refuses to stop when given a signal to do so and the necessity of immediate apprehension **outweighs** the level of danger. A vehicular pursuit may be justified when the officer knows or has reasonable suspicion to believe the suspect:

1. A fleeing suspect has committed or attempted to commit a violent felony, as defined above.

2. A fleeing suspect has committed a felony controlled substance violation.

3. A fleeing suspect has committed a weapons law violation.

4. The only traffic violations that a police pursuit will commence will be for Driving under the Influence.

5. When a motor vehicle violator is traveling in excess of 100 mph.

6. A fleeing suspect has been identified as a wanted felon for one of the above type of offenses.

7. A suspect vehicle has committed any violation and is not stopping after the activation of emergency equipment; however, the driver is traveling at or below the posted speed limit and has not disregarded traffic lights or road signs. The pursuing officer shall notify communications that the driver "is not fleeing, but has not yet stopped." Once the driver begins to exceed the speed limit or disregards traffic signals, the decision to continue the pursuit must be based on the above restrictions.

D. Factors to Consider Prior to Commencing a Pursuit

1. Prior to and during a motor vehicle pursuit, police officers shall evaluate the circumstances of a pursuit to include:

a. Visibility and Weather Conditions;
b. Traffic Conditions (Both vehicular and pedestrian);
c. Road Conditions;

d. Speed and Posted Speed Limits;
e. Alternative Means of Apprehension;
f. Nature of the Offense;
g. Ability to Identify the Operator and/or Vehicle and Apprehend at a Later Date/Time;
h. Time of Day;
i. Type/Condition of Police Vehicle.

2. Officers, Supervisors and Commanders at all levels have a responsibility to closely monitor the progress of each pursuit. The need for apprehension must be constantly weighed against the potential danger created by the pursuit.

E. Initiating Officer's Responsibility

1. When an officer initiates a pursuit, the officer shall utilize the emergency lights and siren in accordance with the Code of Virginia 46.2-920. Whenever possible, use of unmarked police vehicles or non-police vehicle chassis SUV (Sport Utility Vehicle) as pursuit vehicle should be avoided. As soon as a marked police vehicle is available to take over the pursuit, the unmarked vehicle or non-police vehicle chassis SUV shall terminate. Vehicles not equipped with emergency lights and sirens shall not pursue.

2. The pursuing officer shall immediately broadcast the following:

a. Their radio designator;

b. Location and direction of travel;

c. Reason for the pursuit;

d. All available information on pursued vehicle and occupants.

3. During the pursuit, a safe distance shall be maintained between vehicles. This will enable the pursuing officer to duplicate any sudden maneuvers the suspect makes and ensures that no collision will occur if the suspect makes a sudden stop.

4. Police Officers needing assistance will contact the Communications Center who will notify the On-Duty Supervisor who will make a decision as to which officer they will send to assist the initiating officer.

4. Police Officers involved in the pursuit shall continue to provide current location and direction of travel information to the Communications Center as often as possible.

5. Officers shall request additional police officers to assist with the arrest if it appears that the units involved will be unable to safely affect the arrest of the suspect(s) upon completion of the pursuit.

6. Officers who disregard traffic regulations are not operating under authority of the State Code or departmental policy, and are responsible for the consequences of their actions.

F. Secondary Officer's Responsibility

1. Assist the primary officer during the motor vehicle pursuit.

2. Facilitate communications between the primary officer, the Communications Center and the supervisor.

3. Assist the primary officer with the apprehension and security of the suspect when the motor vehicle pursuit is completed.

4. Assume the role of primary officer in the event the primary officer is unable to continue the motor vehicle pursuit; and at, which time, the new primary officer shall evaluate the pursuit and determine if the pursuit should be terminated or continued and shall request an additional officer if necessary.

5. The second officer shall maintain a safe distance from the pursuing police vehicle.

6. At no time will more than two police vehicles be directly involved in a pursuit except in instances where a specific need for them can be clearly defined. If more assistance is necessary, the number of units will be determined by the nature of the offense, the number of suspects, or other clear articulable facts that would justify the increased hazard. The supervisor will make a decision whether additional resources are needed in the pursuit. Officers joining or participating in a pursuit without the specific, acknowledged authority of a supervisor shall be subject to discipline.

7. There should be no attempt by officers to pass other units unless the passing is coordinated with the unit to be passed.

8. Officers not involved in the pursuit shall limit any radio transmissions to emergency broadcasts.

9. Call for the termination of the pursuit if they feel the circumstances exist that would necessitate termination, even of the initiating officer is the on-duty supervisor. The secondary officer may have a holistic view of the police pursuit than the initiating officer/supervisor.

G. Communications Personnel Responsibility –

1. Immediately after being informed of a pursuit, its location and direction, the dispatcher shall notify the supervisor of the motor vehicle pursuit.

2. The dispatcher will notify other law enforcement agencies as appropriate and attempt to coordinate the positioning of nearby police officers.

3. The dispatcher will also broadcast on all operational channels an alert tone to be followed by:

   a. An announcement of the pursuit;

   b. The identification of the primary officer;

   c. The nature of the suspected violation;

   d. The location and direction of travel of the motor vehicle pursuit;

4. Query DMV, VCIN and NCIC for data on the pursued vehicle and occupants.

5. Radio communications for all motor vehicle pursuits shall be conducted on the primary police channel.

6. Only those Officers directly involved in the pursuit should use the primary police channel until it is cleared for regular radio traffic by the on-duty dispatcher.

H. Supervisor's Responsibility –

1. Immediately after notification, it shall be the responsibility of the supervisor in charge to:

   a. Determine if the pursuit falls within the guidelines of Department policy;

   b. Take appropriate action to help ensure the safety of police officers involved in the pursuit;

   c. Take appropriate action to help ensure the safety of the general public;

   d. Monitor the conduct of the pursuit to ensure that the Emporia Police Department policy is followed;

e. Ensure that only those vehicles authorized by the on-duty supervisor are involved in the pursuit;

f. Determine and make assignments to the officers assisting in the pursuit.

g. Continuously evaluate the justification for the pursuit by scrutinizing information from the officers involved and how it applies to pertinent Department policy. If policy is not followed or the hazards become too great, the supervisor shall order all officers to terminate the pursuit.

h. If the pursuit ends in a motor vehicle crash in the City of Emporia, whether an Emporia police vehicle is involved or not, the on-duty supervisor is responsible for investigating the motor vehicle crash. An FR-300 will be conducted even if the accident is non-reportable.

I. Termination of a Pursuit –

1. The primary officer shall terminate the motor vehicle pursuit when the primary officer believes the danger to the public outweighs the danger of allowing the suspect to escape, or when directed by the supervisor to terminate the pursuit.

2. A back-up officer may also call for the termination of the motor vehicle pursuit if they believe that circumstances necessitate the termination for the safety of themselves or others.

3. It shall be the responsibility and authority of the supervisor to order the motor vehicle pursuit terminated whenever the supervisor believes the risk to the public presented by the pursuit outweighs the danger of allowing the suspect to escape.

4. A pursuit shall be considered to have been terminated when the suspect vehicle stops or the primary and other participating officers have completed ALL of the following:

   a. Officers have turned off all of their emergency equipment.

   b. Officers have turned their police vehicles in the opposite direction of travel from where the suspect's vehicle was last seen heading or have pulled to the side of the road.

   c. Officers have notified the Communications Center that the pursuit has been terminated.

5. Any member of the Command Staff has the authority to terminate a vehicle pursuit based upon the observations, facts and circumstances of the motor vehicle pursuit.

3. Officers will terminate a pursuit once they have obtained enough information to identify the driver; such as: license plate information, able to physically identify and name the driver of the vehicle.

J. Forcible Stopping – The use of any of these tactics is to be considered as an application of deadly force.

1. Rolling Roadblock – Since the use of a rolling roadblock may be considered an application of deadly force and places EPD personnel at **GREAT RISK**, this procedure should *only be utilized in extreme circumstances*. There are occasions when extraordinary circumstances arise from instances in which felons flee from police authority or traffic violators refuse to stop when given a signal to do so. In such instance, officers must recall that the condition outlined in General Order 1.3.2, *Use of Deadly Force*, must be considered prior to the use of a rolling roadblock. Officers involved in these circumstances may use a rolling roadblock to stop a pursued vehicle after notifying and receiving approval from their supervisor. Circumstances under which a rolling roadblock may be utilized; but are not limited to, the following:

   a. When a dangerous fleeing felon is presenting an imminent threat to public safety.

   b. When the operator of a vehicle clearly displays obvious disregard for the lives and safety of others.

   c. When the operator of a vehicle appears to be incapacitated and fails to stop when directed to do so.

2. Procedure for Rolling Roadblock - A rolling roadblock shall be implemented by using three units to box in the pursued vehicle and slow its rate of speed to affect a safe, forced stop, minimizing the risk of serious injury and property damage. This method requires extreme caution because it places the officer in the danger zone if the suspect is armed, and may expose the police vehicle to ramming by the suspect. Rolling roadblocks shall be used in accordance with General Order, 22.6.1, *Pursuits of Motor Vehicles.*

3. Stationary Roadblock – The use of a stationary or rolling roadblock and/or intentionally striking the suspect vehicle is only to be used **as a last resort**, when all other means have failed to stop and apprehend a person fleeing in a motor vehicle who presents an immediate threat to

life or injury to any person. The application of this tactic may be considered use of deadly force and places the officer(s) at **great risk.** The shift supervisor on duty must approve the use of such tactics and shall follow these guidelines:

a. Under no circumstances shall a citizen's vehicle be utilized to establish a roadblock. Only marked police vehicles will be used in a roadblock.

b. Officers shall not remain in any vehicle being utilized in a roadblock and shall select a position of safety from which to monitor the roadblock. All officers shall be on the same side of the roadway in the event of the use of firearms to avoid a cross-fire situation.

c. All emergency lights and headlights shall be operating during the roadblock activity, provided headlights, searchlights, spotlights and takedown lights shall not be used during the conduct of the roadblock in such a manner as would likely blind or impair the vision of a driver of a moving vehicle.

d. The roadblock must be clearly visible and provide adequate warning to allow vehicles to come to a safe stop, and must provide an avenue of escape to the pursued vehicle.

e. The dispatcher shall be advised of the exact location of the roadblock and all pursuing units shall be notified by radio of the existence and location of the roadblock.

f. If weather or road conditions do not allow the clear visibility sufficient to permit a safe stop of the suspect vehicle, the roadblock will not be used.

g. Safety of officers and civilians shall remain the primary concern in utilizing a roadblock.

4. Ramming – In the course of a pursuit or response, deliberate contact between vehicles to include forcing the pursued vehicle into parked cars, ditches or other obstacles or intentionally ramming the suspect vehicle *is considered an application of deadly force, placing officer(s) at great risk and is prohibited except for in the most extreme situations where deadly force is warranted*.

5. Tire Deflation Device - The Emporia Police Department utilizes the tire deflation device in forcible stopping situations. The tire deflation device shall only be utilized with a supervisor's approval. Such situations that must be considered is the original offense committed, the time of day, and roadway conditions.

a. To deploy the tire deflation device, the officer shall:

(1) Consider the safety of the public, the offender, and him or herself.

(2) The officer shall park his/her cruiser on the shoulder of the highway and activate all emergency lights.

(3) The officer shall then remove the tire deflation device.

(4) The officer will then propel the tire deflation device into the projected path of the fleeing vehicle.

(5) Once the tire deflation device is propelled into the roadway the officer will pull slightly on the rope that is attached to extend the tire deflation device.

(6) Once contact is made with tire deflation device from the fleeing vehicle, the officer shall not hold any part of the rope attached to the system.

(7) Once deployed, the officer will pull on the rope to retract the tire deflation device to its original position.

(8) Department sworn personnel will undergo training on pursuits, the use of the tire deflation device; as well as roadblocks, and all types of forcible stopping techniques.

b. Officers shall not deploy the tire deflation device on, unless there are specific articulable circumstances that would warrant the use of the tire deflation device on those vehicles listed below:

(1) Motorcycles,

(2) Hazardous Materials Vehicle,

(3) Passenger and School Buses,

(4) Hostage Situations.

K. Inter-jurisdictional Pursuits

1. Inter-jurisdictional Pursuits by Other Agencies

a. When a pursuit is originated by another jurisdiction and enters the City of Emporia, the shift supervisor will determine what assistance is to be rendered and make assignments accordingly.

(1) The only assistance that Emporia Police Officers will render to outside jurisdictions may be, if possible to block off busy traffic intersections so that police vehicles and violators can get safely through the intersection and eventually out of the City limits.

b. Officers will not fall in line and continue pursuits outside the City limits when the pursuit was initiated by another agency.

c. If the suspect is apprehended, charges of all violations known to have been committed in the City of Emporia will be filed.

2. Inter-jurisdictional Pursuits by the Emporia Police Department

a. If Emporia Police officers pursue a vehicle into another jurisdiction, the dispatcher will notify the appropriate jurisdiction by telephone or radio requesting assistance.

b. Except in case of serious felonies, i.e. homicide, malicious wounding, robbery, arson, kidnapping, Emporia Officers shall, as soon as sufficient assistance has joined the pursuit, discontinue the pursuit and proceed, without emergency equipment and in accordance with all laws, in the direction of the pursuit or to the scene of apprehension.

c. If the apprehension is made in Greensville County the suspect will be brought to the Southside Regional Jail for processing. In all other cases the suspect will be taken to the nearest Magistrate.

L. Administrative Review of Police Pursuits, Roadblocks and Forcible Stoppings –

1. Upon conclusion of a police pursuit, roadblock or forcible stopping the initiating officer will complete a Blue Team entry regarding the facts and circumstances regarding the incident.

2. All officers or detectives are required to complete the Blue Team report prior to the end of their tour of duty.

3. Once the Officer has completed their Blue Team entry they will e-mail it to the on-duty patrol sergeant or the on-duty Lieutenant if the Sergeant has been involved in the pursuit and copy their chain of command in the e-mail.

4. If either the on-duty Sergeant or Lieutenant was involved in the vehicle pursuit, then the officer involved will send his Blue Team report to the Operations Division Commander and copy

5. Either the Patrol Sergeant, Lieutenant or Operations Division Commander will begin a review of each pursuit that occurs during

his/her shift, including all officers involved, as soon as practical following the incident. This review shall include:

a. A copy of the Incident Report.
b. Completed Blue Team Report, which shall include:

(1) comprehensive statements from all personnel involved;
(2) reason(s) for initiating pursuit;

(3) location and route of pursuit;

(4) whether pursuit resulted with an apprehension or termination;

(5) if pursuit was terminated, by whom and reason;

(6) if apprehension was made, the arrestee's name and charges;

(7) if there were damages or injuries associated with the pursuit;

(8) if departmental policy was followed throughout, and explanation for deviations from policy;

(9) any other pertinent information that would assist in the critique of this action.

(10) If problems are noted by the supervisor that could be remedied with additional training these recommendations will be made.

(11) Whenever possible, this remediation should be conducted by the officers within the Police Department.

6. For notification purposes, the Initiating Officer shall e-mail the Blue Team Entry that he/she has completed to either the on-duty Patrol Sergeant, Lieutenant or Operations Division Commander and send a copy to their chain of command so that they may be made aware of the activity.

a. Either the on-duty patrol sergeant, lieutenant or Operations Division Commander will perform an administrative review of the pursuit, roadblock or forcible stopping.

b. The administrative review will be conducted to ensure that all policies and procedures have been followed. In addition, the supervisor will address positive and negative aspects of the incident, as well as using the administrative review as a training tool for all officers involved.

c. Once the review is completed, the supervisor will pass the documents forward to their appropriate division commander.

d. Once the appropriate division commander has reviewed the administrative review they will forward it to the Major who will then forward it to the Chief of Police for inclusion in the IA Pro database.

e. The Chief of Police will review the comments by the shift supervisor and division commander and will either forward the administrative review into IA Pro or send it to Internal Affairs for investigation.

M. Annual Analysis – The Chief of Police will conduct an annual analysis on all vehicle pursuits. This analysis should address patterns or trends in vehicle pursuits as well as a review of the policies and reporting procedures relating to police pursuits.

N. Initial Training – Police and Communication personnel shall receive training on the police department's police vehicle pursuit policies during field training for police personnel and on-the-job training for communications personnel. This training will be documented on the FTO/CTO Mastery Checklist.

O. Annual Review – On an annual basis, all police personnel to include communications personnel will receive a documented review of the Emporia Police Department's pursuit policy.

22.6. POLICE PURSUITS

22.6.1 PURSUITS OF MOTOR VEHICLES

A. Pursuit driving is that driving which involves the pursuit and apprehension of a violator or violators in a motor vehicle. Police pursuit driving must be done in a manner consistent with the Code of Virginia, 46.2-920, which states that emergency vehicles are exempt from regulations in certain situations; exceptions and additional requirements.

1. The driver of any emergency vehicle, when such vehicle is being used in the performance of public services, and when such vehicle is operated under emergency conditions, may, without subjecting him/herself to criminal prosecution:

   a. Disregard speed limits, while having due regard for safety of persons and property.

   b. Proceed past any steady or flashing red signal, traffic light, stop sign, or device indicating moving traffic shall stop, if the speed of the vehicle is sufficiently reduced to enable it to pass a signal, traffic light or device with due regard to the safety of persons and property.

   c. Park or stop notwithstanding the other provision of this chapter.

   d. Disregard regulations governing a direction of movement of vehicles turning in specified directions so long as the operator does not endanger life or property.

   e. Pass or overtake, with due regard to the safety of persons and property, another vehicle at any intersection.

   f. Pass or overtake with due regard to the safety of persons and property, while enroute to an emergency, other stopped or slow-moving vehicles, by going off the paved or main traveled portion of the roadway on the right. Notwithstanding other provisions of this squad, vehicles exempted in this instance will not be required to sound a siren or any device to give automatically intermittent signals.

2. The exemptions granted to emergency vehicles by subsection A of this policy shall apply *only when* the operator of such vehicle displays a flashing, blinking, or alternating emergency light or lights and sounds a siren, exhaust whistle, or air horn designed to give automatically intermittent signals, as may be reasonably necessary. The exemption in subsection A shall not protect the operator of any such vehicle from criminal prosecution for conduct constituting reckless disregard of the safety of persons and

property. Nothing in this policy shall release the operator of any such vehicle from civil liability for failure to use reasonable care in such operation.

B. Initiation of Pursuit - There are occasions when individuals attempt to flee from police authority, or refuse to stop when given a signal to do so. The pursuit shall begin only when the suspect refuses to stop when given a signal to do so and the necessity of immediate apprehension **outweighs** the level of danger. A vehicular pursuit may be justified when the officer knows or has reasonable suspicion to believe the suspect:

1. Has committed or attempted to commit a violent felony.

2. Has committed or attempted to commit a violent misdemeanor.

3. Has committed or attempted a weapons violation.

4. Has committed or attempted to commit a felonious Part 1 Property Crime; Burglary, Arson, or Auto Theft.

5. Is driving under the influence.

6. Involved in reckless driving, where reckless driving is the original offense.

7. Speeding

C. Termination of a Pursuit –

1. In most circumstances, the decision by an officer to abandon a pursuit is the most prudent course of action. The termination of a pursuit does not prohibit the following of a vehicle in accordance with all traffic laws, or remaining in an area to reinitiate pursuit if the opportunity and conditions permit, except as stated in 18.2.2, A1. Officers who disregard traffic regulations are not operating under authority of the State Code or departmental policy, and are responsible for the consequences of their actions.

2. The Initiating Officer, On-Duty Supervisor or members of the Command Staff have the authority to terminate a vehicle pursuit.

D. Initiating Officer's Responsibility

1. When an officer initiates a pursuit, the officer shall utilize the emergency lights and siren in accordance with the Code of Virginia 46.2-920. Whenever possible, use of unmarked police vehicles or non-police vehicle chassis SUV (Sport Utility Vehicle) as pursuit vehicle should be avoided. As soon as a marked police vehicle is available to take over the pursuit, the unmarked vehicle or non-police vehicle chassis SUV

shall terminate. Continued participation by the unmarked vehicle or non-police vehicle chassis SUV may be justified if the officer reasonably believes that termination would present a greater threat to public safety, or the safety of the officer remaining in the pursuit. Vehicles not equipped with emergency lights and sirens shall not pursue.

2. The pursuing officer shall immediately broadcast the following:

   a. Their radio designator;

   b. Location and direction of travel;

   c. Reason for the pursuit;

   d. All available information on pursued vehicle and occupants.

3. During the pursuit, a safe distance shall be maintained between vehicles. This will enable the pursuing officer to duplicate any sudden maneuvers the suspect makes and ensures that no collision will occur if the suspect makes a sudden stop.

4. The officer should take into consideration the conditions present at the onset of the pursuit. These conditions can include but are not limited to: weather conditions, road conditions (wet, icy), traffic volume, etc.

E. Secondary Officer's Responsibility

1. At no time will more than two police vehicles be directly involved in a pursuit except in instances where a specific need for them can be clearly defined. If more assistance is necessary, the number of units will be determined by the nature of the offense, the number of suspects, or other clear articulable facts that would justify the increased hazard. The supervisor will make a decision whether additional resources are needed in the pursuit. Officers joining or participating in a pursuit without the specific, acknowledged authority of a supervisor shall be subject to discipline.

2. The second officer is responsible for all radio transmissions regarding the pursuit. The second officer shall maintain a safe distance from the pursuing police vehicle.

3. There should be no attempt by officers to pass other units unless the passing is coordinated with the unit to be passed.

4. Officers not involved in the pursuit shall limit any radio transmissions to emergency broadcasts.

F. Communications Personnel Responsibility - The dispatcher shall:

1. Advise all units to clear the radio;

2. Broadcast all information concerning the pursuit and notify the supervisor;

3. Alert contiguous jurisdictions of the pursuit;

4. Query DMV, VCIN and NCIC for data on the pursued vehicle and occupants.

G. Supervisor's Responsibility - The supervisor shall:

1. Monitor the pursuit and ensure compliance by police and communications personnel of this policy.

2. Determine and make assignments to the officers assisting in the pursuit.

3. Continuously evaluate the justification for the pursuit by scrutinizing information from the officers involved and how it applies to pertinent Department policy. If policy is not followed or the hazards become too great, the supervisor shall order all officers to terminate the pursuit.

4. If the pursuit ends in a motor vehicle crash in the City of Emporia, whether an Emporia police vehicle is involved or not, the on-duty supervisor is responsible for investigating the motor vehicle crash. An FR-300 will be conducted even if the accident is non-reportable.

H. Forcible Stopping – The use of any of these tactics is to be considered as an application of deadly force.

1. Rolling Roadblock – Since the use of a rolling roadblock may be considered an application of deadly force and places EPD personnel at **GREAT RISK**, this procedure should *only be utilized in extreme circumstances*. There are occasions when extraordinary circumstances arise from instances in which felons flee from police authority or traffic violators refuse to stop when given a signal to do so. In such instance, officers must recall that the condition outlined in General Order 1.3.2, *Use of Deadly Force*, must be considered prior to the use of a rolling roadblock. Officers involved in these circumstances may use a rolling roadblock to stop a pursued vehicle after notifying and receiving approval from their supervisor. Circumstances under which a rolling roadblock may be utilized; but are not limited to, the following:

a. When a dangerous fleeing felon is presenting an imminent threat to public safety.

b. When the operator of a vehicle clearly displays obvious disregard

for the lives and safety of others.

c. When the operator of a vehicle appears to be incapacitated and fails to stop when directed to do so.

2. Procedure for Rolling Roadblock - A rolling roadblock shall be implemented by using three units to box in the pursued vehicle and slow its rate of speed to affect a safe, forced stop, minimizing the risk of serious injury and property damage. This method requires extreme caution because it places the officer in the danger zone if the suspect is armed, and may expose the police vehicle to ramming by the suspect. Rolling roadblocks shall be used in accordance with General Order, 18.2.2, *Pursuits of Motor Vehicles.*

3. Stationary Roadblock – The use of a stationary or rolling roadblock and/or intentionally striking the suspect vehicle is only to be used **as a last resort**, when all other means have failed to stop and apprehend a person fleeing in a motor vehicle who presents an immediate threat to life or injury to any person. The application of this tactic may be considered use of deadly force and places the officer(s) at **great risk.** The shift supervisor on duty must approve the use of such tactics and shall follow these guidelines:

   a. Under no circumstances shall a citizen's vehicle be utilized to establish a roadblock. Only marked police vehicles will be used in a roadblock.

   b. Officers shall not remain in any vehicle being utilized in a roadblock and shall select a position of safety from which to monitor the roadblock. All officers shall be on the same side of the roadway in the event of the use of firearms to avoid a cross-fire situation.

   c. All emergency lights and headlights shall be operating during the roadblock activity, provided headlights, searchlights, spotlights and takedown lights shall not be used during the conduct of the roadblock in such a manner as would likely blind or impair the vision of a driver of a moving vehicle.

   d. The roadblock must be clearly visible and provide adequate warning to allow vehicles to come to a safe stop, and must provide an avenue of escape to the pursued vehicle.
   e. The dispatcher shall be advised of the exact location of the roadblock and all pursuing units shall be notified by radio of the existence and location of the roadblock.

   f. If weather or road conditions do not allow the clear visibility sufficient to permit a safe stop of the suspect vehicle, the roadblock will not be used.

g. Safety of officers and civilians shall remain the primary concern in utilizing a roadblock.

4. Ramming – In the course of a pursuit or response, deliberate contact between vehicles to include forcing the pursued vehicle into parked cars, ditches or other obstacles or intentionally ramming the suspect vehicle *is considered an application of deadly force, placing officer(s) at great risk and is prohibited except for in the most extreme situations where deadly force is warranted*.

5. Tire Deflation Device - The Emporia Police Department utilizes the tire deflation device in forcible stopping situations. The tire deflation device shall only be utilized with a supervisor's approval. Such situations that must be considered is the original offense committed, the time of day, and roadway conditions.

   a. To deploy the tire deflation device, the officer shall:

      (1) Consider the safety of the public, the offender, and him or herself.

      (2) The officer shall park his/her cruiser on the shoulder of the highway and activate all emergency lights.

      (3) The officer shall then remove the tire deflation device.

      (4) The officer will then propel the tire deflation device into the projected path of the fleeing vehicle.

      (5) Once the tire deflation device is propelled into the roadway the officer will pull slightly on the rope that is attached to extend the tire deflation device.

      (6) Once contact is made with tire deflation device from the fleeing vehicle, the officer shall not hold any part of the rope attached to the system.

      (7) Once deployed, the officer will pull on the rope to retract the tire deflation device to its original position.
      (8) Department sworn personnel will undergo training on pursuits, the use of the tire deflation device; as well as roadblocks, and all types of forcible stopping techniques.

   b. Officers shall not deploy the tire deflation device on, unless there are specific articulable circumstances that would warrant the use of the tire deflation device on those vehicles listed below:

      (1) Motorcycles,

(2) Hazardous Materials Vehicle,

(3) Passenger and School Buses,

(4) Hostage Situations.

I. Inter-jurisdictional Pursuits

1. Inter-jurisdictional Pursuits by Other Agencies

a. When a pursuit is originated by another jurisdiction and enters the City of Emporia, the shift supervisor will determine what assistance is to be rendered and make assignments accordingly.

b. Officers will not fall in line and continue pursuits outside the City limits when the pursuit was initiated by another agency.

c. If the suspect is apprehended, charges of all violations known to have been committed in the City of Emporia will be filed.

2. Inter-jurisdictional Pursuits by the Emporia Police Department

a. If Emporia Police officers pursue a vehicle into another jurisdiction, the dispatcher will notify the appropriate jurisdiction by telephone or radio requesting assistance.

b. Except in case of serious felonies, i.e. homicide, malicious wounding, robbery, arson, kidnapping, Emporia Officers shall, as soon as sufficient assistance has joined the pursuit, discontinue the pursuit and proceed, without emergency equipment and in accordance with all laws, in the direction of the pursuit or to the scene of apprehension.

c. If the apprehension is made in Greensville County the suspect will be brought to the Southside Regional Jail for processing. In all other cases the suspect will be taken to the nearest Magistrate.

J. Administrative Review of Police Pursuits, Roadblocks and Forcible Stoppings –

1. Upon conclusion of a police pursuit, roadblock or forcible stopping the initiating officer will complete a Blue Team entry regarding the facts and circumstances regarding the incident.

2. Once the Officer has completed their Blue Team entry they will e-mail it to their Sergeant and copy their chain of command in the e-mail.

3. The Patrol Sergeant will begin a review of each pursuit that occurs during his/her shift, including all officers involved, as soon as practical following the incident. This review shall include:

   a. A copy of the Incident Report.

   b. Completed Blue Team entry form. This form will have been filled in by the initiating officer and submitted to the Patrol Sergeant for review prior to the end of the officer's tour of duty.

   c. The Blue Team Entry Form shall include:

      (1) comprehensive statements from all personnel involved;

      (2) reason(s) for initiating pursuit;

      (3) location and route of pursuit;

      (4) whether pursuit resulted with an apprehension or termination;

      (5) if pursuit was terminated, by whom and reason;

      (6) if apprehension was made, the arrestee's name and charges;

      (7) if there were damages or injuries associated with the pursuit;

      (8) if departmental policy was followed throughout, and explanation for deviations from policy;

      (9) any other pertinent information that would assist in the critique of this action.

      (10) If problems are noted by the supervisor that could be remedied with additional training these recommendations will be made.

      (11) Whenever possible, this remediation should be conducted by the officers within the Police Department.

4. For notification purposes, the Initiating Officer shall e-mail the Blue Team Entry that he/she has completed to their Sergeant and send a copy to their chain of command so that they may be made aware of the activity.

   a. The sergeant will perform an administrative review of the pursuit, roadblock or forcible stopping.

   b. The administrative review will be conducted to ensure that all policies and procedures have been followed. In addition, the supervisor will address positive and negative aspects of the

incident, as well as using the administrative review as a training tool for all officers involved.

c. Once the review is completed, the supervisor will pass the documents forward to their appropriate division commander.

d. Once the appropriate division commander has reviewed the administrative review they will forward it to the Major who will then forward it to the Chief of Police for inclusion in the IA Pro database.

e. The Chief of Police will review the comments by the shift supervisor and division commander and will either forward the administrative review into IA Pro or send it to Internal Affairs for investigation.

K. Annual Analysis – The Chief of Police will conduct an annual analysis on all vehicle pursuits. This analysis should address patterns or trends in vehicle pursuits as well as a review of the policies and reporting procedures relating to police pursuits.

22.7 FIELD INTERVIEWS

22.7.1 FIELD INTERVIEW PROCEDURES

A. Field Interviews should be initiated when an officer reasonably believes an inquiry into a situation is warranted. Information obtained during a field interview is entirely dependent upon the voluntary cooperation of the citizen involved. The citizen may terminate the interview at any time and leave the area.

B. Field Interviews shall be based on:

1. The need to identify victims, witnesses or suspects;

2. Crime Prevention or Community Relations;

3. Intelligence gathering;

4. Circumstances which would reasonably arouse the suspicion of an officer and where the potential for gathering crime analysis information exists.

C. The field interview may be initiated any place in which the officer has a legitimate right to be. These interviews shall not be initiated as a means to coerce the citizen to leave an area where that individual has a right to be and no violation of law has occurred.

D. Officers conducting field interviews must understand that citizens contacted shall not be detained in any manner against their will, nor shall citizens be required to answer questions if they choose not to do so. If a citizen should ask whether they must respond, or indicate that they feel compelled to respond, then the officer shall immediately inform the individual that they have the right to leave at any time.

E. Field interviews with juveniles will be conducted; however, officers must pay particular attention to the age, mental state and maturity level when interviewing juveniles in the field.

E. The success of the field interview depends upon the officer’s ability to put citizens at ease and to establish a rapport with the individual.

F. When officers conduct a field interview with a citizen they will document that field interview into the records management system through their MDT’s. If the officers MDT is not operational then they will document the citizen information through the Communications Center.

22.8 PROFESSIONAL NOTIFICATIONS

22.8.1 TYPES OF NOTIFICATIONS

A. Chief of Police-

1. The following incidents will require the On-Duty Supervisor to notify the Chief of Police as soon as possible, day or night. When notifying the Chief of Police, the On-Duty Supervisor must be prepared to answer the who, what, where, when, why and how of the incident.

2. In order for the Department to provide timely notification, the Chief of Police or designee, will be notified immediately during the day and evening shifts. Evening shift supervisors may make immediate notification, or may wait to make such notification between the hours of 05:00 a.m.-06:00 a.m., depending on the significance of the event.

3. The Chief of Police is responsible for notifying the City Manager and the Mayor, who will notify the rest of City Council.

4. NOTE: On the scene of any emergency, the first EPD unit responding to the scene will notify Communications Center to call out Fire, Rescue, Public Works or other agencies as needed.

5. The following are list of events that require immediate notification:

- Homicide
- Any Death Investigation when a Detective is called out.
- Rape
- Child Sexual Assault or When the MDT team is activated.
- Any Type of Robbery
- Aggravated Assault
- Arson
- Motor Vehicle Theft
- Burglary/Breaking and Entering
- Anytime that a Detective is called out to process a crime scene.
- Motor Vehicle Accidents resulting in a Death or Life Threatening Injury.
- Any Incident resulting in the investigation or arrest of any Elected Official.
- Any Incident resulting in the investigation or arrest of any Law Enforcement Personnel.
- Any Incident resulting in the investigation or arrest of any Teachers or Employees of the Public School System.
- The execution of any Search Warrant within the City limits of Emporia.
- Any Hazardous Material Incident

- Any Use of Force that was utilized on an individual during the course of an Officer's Tour of Duty.
- Any Power Outages in the City.
- Any Incident that brings Media Attention or Heightens a Risk Liability against the City.
- Any injury to a City employee or significant damage to City property.
- Any injury or significant accidental property damage caused by a City employee.
- Significant or unusual events resulting in or related to weather conditions, mass arrests, or traffic tie-ups.

B. Medical Examiner (ME) – The ME will be notified immediately when a detective/officer determines notification is necessary. The detective/officer shall provide all preliminary facts to the ME.

1. The ME does not need to be notified of an unattended death if the hospice patient has been seen by their Hospice worker within 48 hours, and there are no suspicious circumstances.

C. Public Works Personnel - The Public Works Department will be notified immediately to effect emergency road repairs or removal of debris from the roads. Emergency numbers are available 24-hours-a-day, 7-days-a-week, in the Communications Center. For further information see General Order 33.3.6, *Hazardous Road Conditions.*

D. Public Utilities Personnel - The appropriate utility company will be notified immediately to effect emergency repairs or service whenever necessary. The Communications Center will maintain current telephone numbers. The Communications Center will ensure that the telephone numbers for these companies are those, which will be answered 24-hours-a-day, 7-days-a-week.

E. News Media – Release of information will be governed by General Orders 31.1.1, *Public Information,* and 31.1.3, *Media Access.*

1. When an accident or other event occurs which causes traffic congestion and/or detours for an extended length of time, it will be the investigating officer's responsibility to inform the shift supervisor. The shift supervisor must evaluate the situation and, if necessary, notify the news media.

22.9 MISSING PERSONS

22.9.1 DEFINITIONS

A. The following definitions apply to this directive:

1. Abducted adult- the act of restraining another person through the use or threat of deadly force or by fraud of any individual who is 18 years of age or older.

2. Abducted child - A child

   a. whose whereabouts are unknown,

   b. who is believed to have been abducted,

   c. who is 17 years of age or younger or is currently enrolled in a secondary school in the Commonwealth, regardless of age, and

   d. whose disappearance poses a credible threat as determined by law enforcement to the safety and health of the child and under such other circumstances as deemed appropriate by the Virginia State Police.

3. Critically missing adult - Any missing adult 21 years of age or older whose disappearance indicates a credible threat to the health and safety of the adult as determined by a law enforcement agency and under such other circumstances as deemed appropriate after consideration of all known circumstances.

4. Missing child - Any person who is under the age of 21 years, whose temporary or permanent residence is in Virginia, or is believed to be in Virginia, whose whereabouts are unknown to any parent, guardian, legal custodian, or other person standing in loco parentis of the child, and who has been reported as missing to a law enforcement agency within the Commonwealth.

5. Missing senior adult - An adult whose whereabouts are unknown and who is over 60 years of age and suffers a cognitive impairment to the extent that he is unable to provide care to himself without assistance from a caregiver, including a diagnosis of Alzheimer's Disease or dementia, and whose disappearance poses a credible threat as determined by a law enforcement agency to the health and

safety of the adult and under such other circumstances as deemed appropriate by the Virginia State Police.

22.9.2 MISSING ADULTS

A . POLICY-The purpose of this policy is to establish guidelines and responsibilities regarding this agency's response to reports of missing, lost or abducted adults. It shall be the policy of this agency to thoroughly investigate all reports of missing, lost or abducted adults. Additionally this agency holds that every person reported as missing will be considered **at risk** until significant information to the contrary is confirmed.

B . PROCEDURES- It is the policy of the department that the appropriate missing person report will be taken for any missing person that meets the guidelines of this policy and state code and who is:

1. A missing person who is a resident of the City of Emporia;

2. A non-resident missing person who is reported missing from the City of Emporia when the missing person's home jurisdiction does not take the report;

3. Jurisdictional conflicts are to be avoided when a person is reported missing. If a person resides in the City of Emporia but was last seen in another jurisdiction, and that jurisdiction declines to take a missing person report, this agency will assume reporting and investigative responsibility.

C. Missing Persons Generally - There is no waiting period for taking a missing person report. A person may be declared missing when his/her whereabouts are unknown and unexplainable for a period of time that is regarded by knowledgeable parties as highly unusual or suspicious in consideration of the subject's known behavior patterns, plans, or routines.

D. Missing Persons At-Risk - The determination that a missing person is at- risk will be based on the criticalness of the situation. A missing person may be considered at-risk if any of the following circumstances are met. The individual:

1. Is an abducted child – Consider Amber Alert
2. Is a missing child and one or more of the following unusual circumstances exist:

    a. The child is believed to be out of the zone of safety for age and developmental stage

b. The child is mentally incapacitated

c. The child is in a life-threatening situation

d. The child is in the company of others who could endanger his/her welfare

e. The child is absent under circumstances inconsistent with established patterns of behavior

3. Is a critically missing adult

4. Is a missing senior adult – Consider Senior Alert

5. Has diminished mental capacity

6. Suffers from a medical condition that is potentially life-threatening if left untreated

7. Suffers from a behavioral health condition that is potentially life-threatening if left untreated

8. Is at risk of suicide

9. Is likely to be left unprotected from current or impending weather conditions that may harm the missing person

10. If it is determined that the missing person is considered at-risk, the on-duty supervisor will initiate the following actions:

    a. Ensure the Law Enforcement Hasty Search Checklist (Modified) for Missing Persons and Relative Urgency Assessment Tool for Missing Persons is being followed to provide the appropriate response.

    b. Activate a command page.

    c. Notify the on-call detective to respond.

    d. Have available officers dispatched to the area surrounding the last known location of the missing subject.

    e. Officers shall focus on secluded places where an offender might have quickly taken a victim or areas in which an individual may be trapped, injured, or lost.

f. A request for search and rescue and other external support shall be made in the early hours of the investigation if the missing person is determined to be "at risk".

E. Adult Missing, Lost or Abducted Person Procedures – The reporting and investigation of an adult missing person will occur according to the following provisions:

1. An initial description of the missing person(s) and information will be obtained using the law enforcement questionnaire for missing persons; there is no waiting period prior to completing the report.

2. Collected information will be processed and made available electronically to the agency. A flyer will be constructed by the investigating Officer/Detective and disseminated to the appropriate jurisdictions.

3. The investigating officer or detective will ensure that all relevant information is entered into NCIC/VCIN. This will be performed at the earliest opportunity. For example, an officer should not wait for the case to be assigned to a detective to make the entry)

4. The Communications Officer is responsible to enter the missing person into NCIC/VCIN and ensure that the entry is VCIN compliant.

5. The Communications Supervisor will ensure that the second and third party checks are completed.

6. Upon return or location of the missing person, the Communications Center will ensure that the missing person is taken out of NCIC/VCIN.

7. The Communications Officer will dispatch an officer to the location of the returned missing person in an attempt to collect intelligence information and determine the location where the missing person was.

8. A city-wide and region-wide BOLO alert shall be issued to all patrol units and all neighboring law enforcement agencies.

9. Virginia Code § 15.2 – 1718.1 and 15.2 - 1718.2 requires that missing seniors are reported to the Clearinghouse within 2 hours of the call being received.

10. Every missing person report will be given appropriate investigative priority and assigned for follow-up investigation as needed by the Case Management team. Any such follow-up investigations, including contact with the individual who filed the report, will be assigned after the Case Management team has reviewed all relevant documentation.

11. Once the missing person has been located, he or she will be notified that a report of his or her disappearance was made. That person will also be notified of the identity of the complainant. It is important to note that there is no authority for detaining an adult who is safe and of sound mind, who has not committed a crime, and who presents no danger to him or herself or others.

12. After the missing person has been found, the complainant will be notified that the missing person has been located (as well as any other information deemed appropriate by the officer/supervisor) and the missing person's information will be cleared from NCIC and VCIN.

F. Senior Alert – The Senior Alert will be activated when all of the criteria found in Virginia's "Senior Alert" plan law enforcement user's guide and listed below is met.

1. The missing senior adult whereabouts are unknown, is over 60 years of age and;

2. Suffers a cognitive impairment to the extent that he or she is unable to provide care for their self without assistance from a caregiver, including a diagnosis of Alzheimer's Disease or dementia, and;

3. Whose disappearance poses a credible threat as determined by a law- enforcement agency to the health and safety of the adult and under such other circumstances as deemed appropriate by the Virginia State Police.

4. A law enforcement investigation has taken place that verified the senior adult is missing and eliminated alternative explanations by a thorough search of the immediate area if vehicular travel is not involved as a mode of travel for the adult.

5. Sufficient information regarding the missing senior adult is available to disseminate to the public that could assist in locating the missing senior adult or their vehicle.

6. The missing senior adult must be entered into the Virginia Criminal Information Network (VCIN), the National Crime Information Center (NCIC) missing person files and information reported to the Virginia Missing Person Information Clearinghouse in the prescribed format.

7. A photograph of the missing senior adult must be provided to the Virginia Missing Person Information Clearinghouse on the prescribed forms or agency equivalent.

8. If all of the aforementioned criteria are not met, the Virginia “Senior Alert” Plan will not be activated however information can still be provided to the media.

9. Law enforcement agencies are required to confer with the VMPC/State Police at 804-674-2026 prior to activation of a local “Senior Alert”. Once the investigating agency has contacted and provided the Virginia Missing Person Information Clearinghouse (VMPC) with the required information, the requesting agency will only be required to submit updated information and notify the VMPC of the recovery of the missing senior adult or cancellation of the alert.

10. If the Virginia "Senior Alert" Plan is activated, the Department will take telephone calls regarding the missing senior at 434-634-7320.

11. If a "Senior Alert" is terminated, the on-duty supervisor or their designee will complete and submit a termination form to the Virginia Missing Persons Clearinghouse.

22.9.3 MISSING CHILDREN

A. POLICY-It is the policy of the department that the appropriate missing child report will be taken for any missing child that meets the guidelines of this policy and state code and who is:

1. A missing child who is a resident of the City of Emporia;

2. A non-resident missing child who is reported missing from the City of Emporia when the missing child’s home jurisdiction does not take the report;

3. Jurisdictional conflicts are to be avoided when a child is reported missing. If a child resides in the City of Emporia

but was last seen in another jurisdiction, and that jurisdiction declines to take a missing child report, this agency will assume reporting and investigative responsibility.

4. Officers responding to reports of missing or runaway juveniles should treat every incident with urgency and utmost priority.

5. Questions concerning parental custody occasionally arise in relation to missing juvenile reports. It shall be the policy of this Department to accept the report of a missing juvenile even if custody has not been formally established. Reporting parties shall be encouraged to obtain legal custody as soon as possible; however, since the safety of the missing juvenile(s) is paramount, members of this Department will open a case when it can be shown that the juvenile has been removed, without explanation, from his or her usual place of residence.

B. PROCEDURES – All cases involving missing children will be investigated. Missing children determined to be "at-risk" are particularly vulnerable and a heightened response will be initiated by the on-duty supervisor if a missing child is determined to be at-risk.

1. A missing child is defined in Code of Virginia § 52-32 as any person:

   a. Who is under the age of 21 years;

   b. Whose temporary or permanent residence is in Virginia or is believed to be in Virginia;

   c. Whose whereabouts are unknown to any parent, guardian, legal custodian or other person standing in loco parentis of the child;

   d. Who has been reported as missing to a law enforcement officer agency within the Commonwealth.

2. A runaway child in Virginia is considered a missing child.

   a. If a child below the age of 18 years of age leaves home and does not meet the requirements of a missing child i.e.: goes to a friend's house and refuses to come home, the responding officer will complete an information report detailing the facts of the incident. If the officer determines the child to be in

need of services or other intervention they will refer to Chapter 25-Juvenile Operations for guidance.

3. NOTE: Significant weight and credibility must be given to the Parent/caregiver in determining whether the behavior is truly unusual for the child. Each child is different, so it cannot be assumed what is typical for most children of a certain age range is also typical for the missing child.

4. It is the policy of this department that the appropriate missing child report will be taken for any child that meets the above definitions of a missing child and who is:

   a. A juvenile who is a resident of the City of Emporia;

   b A non-resident juvenile who is reported missing from the City of Emporia when the missing juvenile's home jurisdiction does not take the report;

   c. Jurisdictional conflicts are to be avoided when a child is reported missing. If a child resides in the City of Emporia but was last seen in another jurisdiction, and that jurisdiction declines to take a missing child report, this agency will assume reporting and investigative responsibility.

5. Missing Children Reporting and Notification – A missing person's report for a child must be taken as soon as possible; there is no waiting period prior to completing such a report. The missing child's information will then be entered into NCIC, VCIN, and MCIC within two hours of the report having been received.

   a. In the event that a juvenile has been reported missing, Communications will be responsible for issuing a BOLO (be on the lookout) alert to all personnel containing a description of the child and any other pertinent information that was provided in the missing person's report. The investigating officer assigned to the case will be responsible for notifying a supervisor and reporting requirements established under Sections § 15.2-1718 and Sections § 52-31 through § 52-34 of the Code of Virginia, which pertain to the Missing Children Information Clearinghouse.

   b. Information required for immediate notification of appropriate coordination includes the missing child's following information:

(1) Name;

(2) Descriptors;

(3) Last known location and possible destination;

(4) Any endangerment factors;

(5) Any special needs or considerations.

6. AMBER Alert – If the primary officer's investigation reveals the case to be an abduction, the officer shall prepare a written report and complete all other forms and attachments necessary to activating an "AMBER Alert". The same officer will do the following:

a. Be the individual who provides required documentation to the Communication Center to make NCIC/VCIN entries regarding the abduction.

b. Ensure the missing child is entered into the NCIC/VCIN systems as soon as practical.

c. Continue the investigation and provide such documents that may extend an alert or end the alert.

d. The on-duty supervisor shall do the following:
(1) Ensure that all the requirements for an "AMBER Alert", as defined in the Virginia "Amber Alert" Plan listed below have been met.

(a) The abducted child must be 17 years of age or younger or is currently enrolled in a secondary school in the Commonwealth regardless of age,, and the law enforcement agency believes the child has been abducted (unwillingly taken from their environment without permission from the child's parent or legal guardian).

(b) The law enforcement agency believes the abducted child is in imminent danger of serious bodily harm or death.

(c) A law enforcement investigation has taken place that verified the abduction or eliminated alternative explanations.

(d) Sufficient information is available to disseminate to the public that could assist in locating the child, suspect, and/or the suspect's vehicle.

(e) The Child must be entered into the Virginia Criminal Information Network (VCIN) and the National Crime Information Center (NCIC) missing person files as soon as practical.

(f) The Virginia "Amber Alert" Form authorizing release of information must be signed.

(2) If all of the aforementioned criteria are not met, the Virginia "Amber Alert" Plan will not be activated. However, the endangered missing child media alert may be used.

(a) Authorize notification to the State Police (Virginia Missing Children Clearing House) (VMCC) of the abduction.

(3) The following information will be submitted to the Virginia Missing Children's Clearinghouse immediately after it is determined that the missing child may or has been abducted and a local alert has been enacted:

(a) A photograph of the child as it becomes available.

(b) A completed Virginia "AMBER Alert" activation form.

(4) If the Virginia "AMBER Alert" Plan is activated, the Department will take telephone calls regarding the missing child at 434-634-7320.

(5) If an "AMBER Alert" is terminated before the 12 hour cycle ends, the on-duty supervisor or the assigned detective will complete and submit a

termination form to the Virginia Missing Child Clearinghouse.

7. Responsibilities – Communication officers, first responders, supervisors, and detectives have distinct responsibilities related to missing children.

   a. Communications Officers - A communications officer who receives the report of a missing child must collect appropriate information to assist the responding officer. Communications Officers must also do the following:

      (1) Prioritize the call based on the factors determining unusual circumstances and dispatch officers accordingly.

      (2) Collect essential information from the caller.

      (3) Transmit appropriate radio alerts providing descriptive information about the child, where the child was last seen, and any information concerning potential abductors and their means and direction of travel.

      (4) Inform the parent or guardian that they should not disturb or tamper with any of the child's belongings or the home, school, or location where the child might have been.

      (5) Search police agency records for information that may facilitate the search and investigation.

      (6) Check the history of household abuse or domestic violence calls.

      (7) Check runaway reports on the child or siblings.

      (8) Issue a radio alert to all agency personnel and enter an alert on the statewide telecommunications system under unusual circumstances.

      (9) Ask the parents or caretakers to stay in place until police personnel arrive.

      (10) Follow-Up Responsibilities

(a) The Communications Officer will ensure that all missing persons (adults or children) will be entered into the NCIC/VCIN system once they have received all the appropriate paperwork from the investigating officer.

(b) The Communications Supervisor will ensure that a second and third party cross-check is completed for the NCIC/VCIN entry of the missing person.

(c) The Communications Officer will promptly notify the On-Duty Supervisors and Officers working by sending out a BOLO with all of the information to locate the missing person (adult or child)

(d) Upon the return or location of the missing person (adult or child) the Communications Officer is responsible to take the missing person out of NCIC/VCIN.

(e) The Communications Officer will dispatch an on-duty officer to the location of the returned missing person to confirm that the individual has returned, is safe and obtain any intelligence information of where the missing person may have been.

b. First responders - The officer assigned as the first responder to the incident should prioritize and perform as appropriate the following tasks:

(1) Unless acting in direct response to the child's safety, respond directly and promptly to the individual who made the initial report.

(2) Verify that the child is missing by conducting a consensual search of the house and grounds to include places where a child could be hiding, trapped or asleep.

(3) Have supervisor respond to the scene.

(4) Conduct interviews with the person who made the initial report.

(5) Confirm the child's custody status.

(6) Secure and safeguard the incident scene or place last seen as a potential crime scene.

(7) Identify any areas of the incident scene or the home that have been disrupted since the child's disappearance.

(8) Based on available information, make an initial determination of the type of case and the need for additional resources.

(9) If the child was abducted, obtain a description of the abductors if available, the mode of travel, vehicle description, and related information and transmit to communications. If the abductor is a family member, obtain photographs of the suspect.

(10) Determine the correct NCIC Missing Person File category - disability, endangered, involuntary, juvenile, or catastrophe and request that communications or other authorized personnel promptly enter this into the NCIC file. Family abductions are normally entered as involuntary, and non-family abductions are entered as "endangered."

(11) Provide parents with any documentation that is required by the state missing children's clearinghouse and tell them to include a photograph of the missing child.

(12) Prepare a chronological account of actions taken and complete information obtained.

c. Supervisors - Where a child is missing under unusual circumstances, a supervisor will ensure that the following measures are taken.

(1) Obtain a briefing from the first responder and other agency personnel at the scene sufficient to determine the scope and complexity of the case and develop an appropriate response.

Conduct the briefing away from family, friends, and other involved individuals.

(2) Ensure that first responder responsibilities, as outlined in the foregoing section, have been fully and properly carried out.

(3) Determine if additional personnel and resources are needed to assist in the investigation to include activation of interagency response protocols. In situations where a missing child is considered “at-risk” due to unusual circumstances as defined in this policy, a detective shall be called out.

(4) If necessary, establish Incident Command and a command post to assist in field management of the search and investigation.

(5) Appoint a search operations coordinator to organize search efforts. Determine whether tracking dogs are available and if they are appropriate for use under the immediate circumstances.

(6) Contact the PIO to respond.

(7) Appoint a media liaison officer if not yet on hand to deal with media inquiries and, if deemed appropriate, solicit media assistance in locating the missing child.

(8) Ensure that all required notifications have been made to include, where appropriate, officers and investigative units of the agency, other law enforcement agencies, and available community resources.

(9) Establish a liaison with the family who can explain police efforts and work with the family to uncover any information useful to the investigation.

(10) Assess the need for additional services and contact the state clearinghouse to determine what services if any can be provided.

(11) If necessary turn the investigation and/or search over to a larger agency that can bring greater resources to bear on the investigation.

d. Detectives - Where a case involves unusual circumstances as defined in this policy, the assigned detective shall ensure that the following measures are taken:

(1) Obtain a briefing from agency personnel at the scene.

(2) Verify the accuracy of all descriptive information concerning the child.

(3) Conduct an investigation.

(4) Reassess the need for additional resources and specialized services.

(5) If the case is not resolved promptly, update descriptive records and those entered into state and federal missing person's databases.

(6) Keep the appropriate supervisor apprised of the situation and any developments.

e. Follow-up Responsibilities – An officer/detective assigned to the recovery or return of a missing child shall complete the following tasks, among his or her other responsibilities:

(1) Verify the identity of the returned child as the missing child while assessing the child's safety. NOTE: The officer/detective must visually observe the child to provide proper verification.

(2) Gather available information about possible predators.

(3) During the verification process, determine whether intervention services are needed to ensure that the child can safely remain in the home and ensure that arrangements are made for delivery of these services. These include but are not limited to mental health and/or physical health examinations and arrangements for family counseling.

(4) Complete designated supplemental reports and cancel all outstanding notifications to include any NCIC Missing Person File entry and the state clearinghouse.

(5) Supplemental reports should describe the child's activities while missing and the circumstances of the recovery/return.

C. Training

1. All Police Officers and Communications Officers will receive initial basic training on handling missing persons to include adults and children.

2. All police officers and communications officers will receive training during field training or on-the-job training on handling missing persons to include adults and children.

3. All police officers and communications officers will periodically receive in-house Power DMS training relating to missing persons; to include: adults, as well as missing and exploited children.

22.11 MENTALLY ILL/EMOTIONALLY DISTURBED INDIVIDUALS

A. Policy - Mental Health staff members from District 19 will assist police officers with individuals experiencing mental problems or in need of emergency crisis intervention by:

1. Assessment and emergency treatment of persons thought to be mentally ill;

2. Screening, at the request of the Police Department, those individuals arrested on criminal charges who exhibit symptoms of mental illness;

3. Facilitating voluntary/involuntary hospitalizations;

4. Referral and linkage to other human resources; and,

5. Assisting officers with individuals or families experiencing domestic crisis, alcohol and substance abuse, runaways, and potential or threatened suicide victims.

B. Recognizing Mental Illness- Officers must be aware that mental disorders are health conditions that are characterized by alterations in thinking, mood, or behavior. Officers are trained as part of their basic law enforcement curriculum and during in-service training in recognizing possible verbal, behavioral, or environmental cues that could suggest the existence of a mental illness. The following are definition of different forms of mental illness

1. Anxiety Disorders- People with anxiety disorders respond to certain objects or situations with fear and dread, as well as with physical signs of anxiety or panic, such as rapid heartbeat and sweating. An anxiety disorder is diagnosed if the person's response is not appropriate for the situation, if the person cannot control the response, or if the anxiety interferes with normal functioning.

2. Mood Disorders – These disorders, also called affective disorders, involve persistent feelings of sadness or periods of feeling overly happy, or fluctuations from extreme happiness to extreme sadness. The most common mood disorders are depression, bipolar disorder and cyclothymic disorder.

3. Psychotic Disorders- Psychotic disorders involve distorted awareness and thinking. Two of the most common symptoms of psychotic disorders are hallucinations-the experience of images or sounds that are nor real, such as hearing voices and delusions, which are false fixed beliefs that the ill person accepts as true, despite evidence to the contrary.

4. Impulse Control and Addiction Disorders- People with Impulse

Control Disorders are unable to resist urges, or impulses, to perform acts that could be harmful to themselves or others. Pyromaniacs, kleptomaniacs and compulsive gamblers fall under this category.

5. Personality Disorders- People with personality disorders have extreme and inflexible personality traits that are distressing to the person and/or cause problems in work, school or social relationships. In addition, the person's patterns of thinking and behavior significantly differ from the expectations of society and are so rigid that they interfere with the person's normal functioning.

6. Obsessive-Compulsive Disorder- People with OCD are plagued by constant thoughts or fears that cause them to perform certain rituals or routines. The disturbing thoughts are called obsessions, and the rituals are called compulsions

7. Post-Traumatic Stress Disorder-PTSD is a condition that can develop following a traumatic and/or terrifying event, such as a sexual or physical assault, the unexpected death of a loved one or a natural disaster. People with PTSD often have lasting and frightening thoughts and memories of the event, and tend to be emotionally numb.

8. Dissociative Disorders-People with these disorders suffer severe disturbances or changes in memory, consciousness, identity and general awareness of themselves and their surroundings. These disorders usually are associated with overwhelming stress, which may be the result of traumatic events, accidents or disasters that may be experienced or witnessed by the individual.

C. District 19 staff licensed by therapists from the Virginia Department of Behavioral Health and Developmental Services who will normally be located in their offices until 1700 hours, Monday through Friday. If a Therapist cannot be reached or if a Therapist is needed after hours, the Communications Center can contact the on-call Therapist.

D. Procedure – Calls involving the Mentally Ill/Emotionally Disturbed:

1. When calls are dispatched concerning a mental case, a supervisor should be made aware of the situation.

2. Upon arrival at the scene, the responding officer will take appropriate action to restore order and seek the identification of all present. Once the scene has been stabilized, the officer will evaluate the situation to determine if District 19 services are required.

3. If the conduct observed is a criminal act, or there is probable cause that a felony has been committed, the officer may arrest the suspect under the appropriate criminal statue. After the suspect is

transported to the Police Department, the officer should advise the Magistrate of any conduct or behavior, which would indicate that the suspect was mentally ill. The magistrate may indicate District 19 intervention is necessary.

4. If the situation is such that an arrest is not warranted, the officer should:

   a. Contact the Crisis Assessment Cent or call the District 19 Therapist directly and describe the situation. The Officer and the Therapist will determine whether the Therapist should respond to the scene or whether the client should be transported to some agreed upon location, (Crisis Assessment Center, Hospital Emergency Room, or District 19 Office). The officer should seek the subject's voluntary transport, however if the client is unwilling to be transported and a decision has been made that the subject needs to be transported, the officer may under Virginia State code 37.2-808 place the individual into emergency custody.

   b. If a telephone is unavailable or if the Therapists out of the office or on another call, contact with the Therapist can be facilitated via the Communications Center.

   c. If the Officer who, based upon his observation or the reliable reports of others, has probable cause to believe that a subject meets the criteria for emergency custody as stated in Virginia State Code 37.2-808 may take that subject into custody and transport that subject to an appropriate location to assess the need for hospitalization without prior authorization from any Therapist. Once the subject is secured and transported at the appropriate location, contact should be made with a District 19 Therapist immediately. The subject shall remain in custody until a temporary detention order is issued or until the subject is released by the Therapist. But in no event shall the period of custody exceed eight hours with a four hour extension if needed.

   d. Upon arrival at the scene, the Therapist should be briefed and introduced to the subject(s). The officer should stand by for the protection of the Therapist and remain until there is no threat to one's personal safety or until some other resolution can be made which will not require the presence of the officer or Therapist.

5. Interviews and Interrogations

   a. When Officers or Detectives are interviewing or interrogating an individual whom they believe to have some form of a mental illness, the officer/detective should ensure that the individual being interviewed or interrogated fully understands the ramifications of waiving their fifth amendment rights.

b. If it appears that the individual being interviewed or interrogated is suffering from a mental illness then best judgment would be to suspend the interview or interrogation until the individual is in a better state of mind for the interview or interrogation.

6. Emergency Detention of Mentally Ill/Emotionally Disturbed Person in Need of Hospitalization.

a. A Magistrate may issue an order requiring the alleged mentally ill person in need of hospitalization at a treatment center only upon the advice of a person skilled in the diagnosis or treatment of mental illness and only after an in person face-to-face assessment. The determination as to whether a person meets the criteria for detention will be made by the Therapist, who will obtain the Temporary Mental Detention Order from the Magistrate.

b . Upon completion of an assessment, either the subject will be released or hospitalization will be facilitated.

c. If the patient is a resident of Emporia and since the Emporia Police Department is the primary law enforcement agency in the City, the Police Department is responsible for the transportation of the patient to the mental facility.

E. Mental Health Training- Each agency member will receive adequate training in identifying and dealing with persons suffering from mental illness. Each Member will be able to evaluate and determine the immediate needs of the subject and be able to contact and initiate proper resources.

1. Entry level training will be conducted by the Crater Criminal Justice Training Academy and the Department's Field Training program.

2. Each Member will receive refresher training in dealing with persons with mental illness on an annual basis. This training will be coordinated with Roll Call training.

F. Placement of Mental Patients

1. The aftermath of the COVID-19 pandemic has caused significant delay in the process for facility placement of patients being held under emergency custody orders and temporary detention orders.

2. The purpose of this procedural supplement is to establish guidance for circumstances which may arise as a part of these delays.

3. Virginia Code Concerning the Placement of Patients

a. § 37.2-809.1. Facility of temporary detention.

b. In each case in which an employee or designee of the local community services board as defined in § 37.2-809 is required to make an evaluation of an individual pursuant to subsection B, G, or H of § 37.2-808, an employee or designee of the local community services board shall, upon being notified of the need for such evaluation, *contact the state facility for the area in which the community services board is located and notify the state facility that the individual will be transported to the facility upon issuance of a temporary detention order if no other facility of temporary detention can be identified* by the time of the expiration of the period of emergency custody pursuant to § 37.2-808. Upon completion of the evaluation, the employee or designee of the local community services board shall convey to the state facility information about the individual necessary to allow the state facility to determine the services the individual will require upon admission.

c. A state facility may, following the notice in accordance with subsection A, conduct a search for an alternative facility that is able and willing to provide temporary detention and appropriate care to the individual, which may include another state facility if the state facility notified in accordance with subsection A is unable to provide temporary detention and appropriate care for the individual. *Under no circumstances shall a state facility fail or refuse to admit an individual who meets the criteria for temporary detention* pursuant to § 37.2-809 unless an alternative facility that is able to provide temporary detention and appropriate care agrees to accept the individual for temporary detention and the individual shall not during the duration of the temporary detention order be released from custody except for purposes of transporting the individual to the state facility or alternative facility in accordance with the provisions of § 37.2-810. If an alternative facility is identified and agrees to accept the individual for temporary detention, the state facility shall notify the community services board, and an employee or designee of the community services board shall designate the alternative facility on the prescreening report.

d. The facility of temporary detention designated in accordance with this section shall be one that has been approved pursuant to regulations of the Board.

4. Discussion

This code section mandates the acceptance of patients at state facilities if an alternative facility is not available.

5. Procedures

a. When a TDO is issued that directs an Officer to take a patient into custody and transport that patient to a facility of temporary detention, the Officer should:

(1) Ensure that the Order is for an Adult and that it directs the officer to deliver the person to a State Facility (or an alternative facility).

(2) Call the facility before leaving, and ask if they are able to accept the patient.

(3) If the facility advises they are able to accept the patient, then transport the patient to the facility.

(4) If advised that there is “no bed available,” the officer shall inform the facility that a valid TDO has been issued and, pursuant to the requirements of the TDO, the subject will be transported to the facility. Officers may remind state facility staff that the state facility is obliged to accept the subject of the TDO under the ”Mandatory Admission Law”, (Va. Code § 37.2-809.1(B).

(5) Transport the subject to the Facility.

b. If a TDO is issued pending medical evaluation and clearance, pursuant to an ECO:

(1) The Officer should speak to the ER doctor and ask them if the patient is medically cleared or released and able to be released from their care. If the subject of the ECO/TDO is medically cleared or released from care, call the facility and ask if they are able to accept the patient. Then proceed under the terms of Section 3-a.

(2) If they are able to accept the patient, transport the patient to the facility. If they advise that they cannot accept the patient, then again proceed under the terms of Section 3-a of the General Order.

(3) If the ER doctor is not able or willing to release, despite the patient being medically cleared or released from care, the Officer must maintain observation of the patient until medically cleared or for 24 hours after the TDO was issued (giving time for the CSB and state facility to find a facility that can accept the patient) but, after the 24-hour period expires, the order is no longer valid, and the Officer can relinquish custody of the patient, and return the unexecuted order to the clerk or magistrate.

(4) Due to the COVID-19 pandemic the Department must give the hospital time to get the test results back so they can advise the accepting facility.

c. Complete the execution section of the TDO ***UPON DELIVERY OF THE SUBJECT TO THEIR FINAL DESTINATION.*** Do not place the “served time” in the execution box when the TDO is delivered in the ER. This is simply the time the TDO arrives, and is not the time of Execution. This section is to be completed after the Order is “Executed” i.e. all aspects completed including delivery to the facility of destination.

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4. Referral and linkage to other human resources; and,

5. Assisting officers with individuals or families experiencing domestic crisis, alcohol and substance abuse, runaways, and potential or threatened suicide victims.

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3. Psychotic Disorders- Psychotic disorders involve distorted awareness and thinking. Two of the most common symptoms of psychotic disorders are hallucinations-the experience of images or sounds that are nor real, such as hearing voices and delusions, which are false fixed beliefs that the ill person accepts as true, despite evidence to the contrary.

4. Impulse Control and Addiction Disorders- People with Impulse

Control Disorders are unable to resist urges, or impulses, to perform acts that could be harmful to themselves or others. Pyromaniacs, kleptomaniacs and compulsive gamblers fall under this category.

5. Personality Disorders- People with personality disorders have extreme and inflexible personality traits that are distressing to the person and/or cause problems in work, school or social relationships. In addition, the person's patterns of thinking and behavior significantly differ from the expectations of society and are so rigid that they interfere with the person's normal functioning.

6. Obsessive-Compulsive Disorder- People with OCD are plagued by constant thoughts or fears that cause them to perform certain rituals or routines. The disturbing thoughts are called obsessions, and the rituals are called compulsions

7. Post-Traumatic Stress Disorder-PTSD is a condition that can develop following a traumatic and/or terrifying event, such as a sexual or physical assault, the unexpected death of a loved one or a natural disaster. People with PTSD often have lasting and frightening thoughts and memories of the event, and tend to be emotionally numb.

8. Dissociative Disorders-People with these disorders suffer severe disturbances or changes in memory, consciousness, identity and general awareness of themselves and their surroundings. These disorders usually are associated with overwhelming stress, which may be the result of traumatic events, accidents or disasters that may be experienced or witnessed by the individual.

C. District 19 staff licensed by therapists from the Virginia Department of Behavioral Health and Developmental Services who will normally be located in their offices until 1700 hours, Monday through Friday. If a Therapist cannot be reached or if a Therapist is needed after hours, the Communications Center can contact the on-call Therapist.

D. Procedure – Calls involving the Mentally Ill/Emotionally Disturbed:

1. When calls are dispatched concerning a mental case, a supervisor should be made aware of the situation.

2. Upon arrival at the scene, the responding officer will take appropriate action to restore order and seek the identification of all present. Once the scene has been stabilized, the officer will evaluate the situation to determine if District 19 services are required.

3. If the conduct observed is a criminal act, or there is probable cause that a felony has been committed, the officer may arrest the suspect under the appropriate criminal statue. After the suspect is

transported to the Police Department, the officer should advise the Magistrate of any conduct or behavior, which would indicate that the suspect was mentally ill. The magistrate may indicate District 19 intervention is necessary.

4. If the situation is such that an arrest is not warranted, the officer should:

   a. Contact the Crisis Assessment Cent or call the District 19 Therapist directly and describe the situation. The Officer and the Therapist will determine whether the Therapist should respond to the scene or whether the client should be transported to some agreed upon location, (Crisis Assessment Center, Hospital Emergency Room, or District 19 Office). The officer should seek the subject's voluntary transport, however if the client is unwilling to be transported and a decision has been made that the subject needs to be transported, the officer may under Virginia State code 37.2-808 place the individual into emergency custody.

   b. If a telephone is unavailable or if the Therapists out of the office or on another call, contact with the Therapist can be facilitated via the Communications Center.

   c. If the Officer who, based upon his observation or the reliable reports of others, has probable cause to believe that a subject meets the criteria for emergency custody as stated in Virginia State Code 37.2-808 may take that subject into custody and transport that subject to an appropriate location to assess the need for hospitalization without prior authorization from any Therapist. Once the subject is secured and transported at the appropriate location, contact should be made with a District 19 Therapist immediately. The subject shall remain in custody until a temporary detention order is issued or until the subject is released by the Therapist. But in no event shall the period of custody exceed eight hours with a four hour extension if needed.

   d. Upon arrival at the scene, the Therapist should be briefed and introduced to the subject(s). The officer should stand by for the protection of the Therapist and remain until there is no threat to one's personal safety or until some other resolution can be made which will not require the presence of the officer or Therapist.

5. Interviews and Interrogations

   a. When Officers or Detectives are interviewing or interrogating an individual whom they believe to have some form of a mental illness, the officer/detective should ensure that the individual being interviewed or interrogated fully understands the ramifications of waiving their fifth amendment rights.

b. If it appears that the individual being interviewed or interrogated is suffering from a mental illness then best judgment would be to suspend the interview or interrogation until the individual is in a better state of mind for the interview or interrogation.

5. Emergency Detention of Mentally Ill/Emotionally Disturbed Person in Need of Hospitalization.

a. A Magistrate may issue an order requiring the alleged mentally ill person in need of hospitalization at a treatment center only upon the advice of a person skilled in the diagnosis or treatment of mental illness and only after an in person face-to-face assessment. The determination as to whether a person meets the criteria for detention will be made by the Therapist, who will obtain the Temporary Mental Detention Order from the Magistrate.

b. Upon completion of an assessment, either the subject will be released or hospitalization will be facilitated. Once a Temporary Mental Detention Order is issued, the Officer will serve the temporary detention and since the Emporia Police Department is the primary law enforcement agency in the City will transport of the patient to the mental facility.

E. Mental Health Training- Each agency member will receive adequate training in identifying and dealing with persons suffering from mental illness. Each Member will be able to evaluate and determine the immediate needs of the subject and be able to contact and initiate proper resources.

1. Entry level training will be conducted by the Crater Criminal Justice Training Academy and the Department's Field Training program.

2. Each Member will receive refresher training in dealing with persons with mental illness on an annual basis. This training will be coordinated with Roll Call training.

22.12 PATROL VEHICLES

22.12.1 MARKED VEHICLES

A. Vehicles used in patrol are marked conspicuously to ensure they are identified as EPD vehicles. Each marked patrol vehicle is equipped with emergency lights, a siren and a police radio.

22.12.2 REQUIRED OPERATIONAL EQUIPMENT

A. Every marked patrol vehicle will be equipped with the following items:

1. Alco-Sensor;
2. Blanket;
3. Crime Scene Barrier Tape;
4. First Aid Kit;
5. Flashlight;
6. Leg Irons;
7. Mask and Gloves;
8. Blood Borne Pathogen Kit

B. Although each officer is responsible for his or her equipment daily, the Patrol Lieutenant is responsible to ensure that the inspections are conducted on a monthly basis and arranging for repair or replacement of equipment not working. Inspections shall include overall condition, and cleanliness of both interior and exterior. In situations where equipment breaks or malfunctions while in use or in the field, the squad supervisor will be notified promptly so that repair or replacement can be effected quickly.

22.12.3 USE OF SEAT BELTS

A. Use of seat belts by EPD personnel will be in accordance with the Code of Virginia, 46.2-1094.

B. All passengers or prisoners being transported in EPD vehicles will use seat belts in accordance with state law.

C. Any child, up to age eight, whom is transported in a City owned vehicle must be properly secured in a child restraint seat in accordance with the Code of Virginia, 46.2-1095. This does not apply under any exigent circumstances.

22.13 UNIFORMS, EQUIPMENT AND GENERAL APPEARANCE

22.13.1 UNIFORMS –

A. Sworn and civilian personnel are issued an allotment of uniforms and equipment to perform their duties. Damaged, or otherwise inadequate equipment shall be immediately reported by memorandum to the employee's supervisor who will submit it through the chain of command.

B. Regulation Uniforms/Equipment- Regulation uniforms and equipment are those approved by, or issued by authority of the Chief of Police. Only regulation uniforms and equipment may be worn or utilized by sworn or civilian personnel when in uniform. The Chief of Police or the Major, are authorized to modify or amend the prescribed uniform in the event of extreme weather conditions.

C. Dress Shoes/Boots - Any shoe worn with the Class A or B police uniform shall be black in color. Officers may wear black, tan or khaki colored shoes or boots when wearing the special event uniform. When Officers are wearing shorts with the special event uniform, they must wear a black athletic shoe. The following options are allowed:

1. A plain toe lace up quarter shoe.
2. A plain tow lace up high top or demi-boot.
3. *No* shoe/boot shall be worn which has a buckle or strap.

D. Class A Uniforms-

1. The class A uniform is the navy long or short sleeve shirt and navy pants.

   a. When officers are wearing the long sleeve shirt, it shall be worn with either a tie or the department issued mock turtleneck.

   b. When officers are wearing the short sleeve shirt, officers will wear either white, navy or black undershirt.

   c. Department Mock Turtlenecks – When officers are wearing the Class A long sleeve shirt, they may as an alternative to wearing the tie wear the mock turtleneck.

   d. The Class A uniform trousers will not be bloused.

   e. The required accessories for the class A uniform shirt are:

(1) Department issued badge on the left chest. A black shroud may be worn over the Commonwealth pin in memory of a fallen officer at the direction of the Chief of Police or the Major.

(2) The rank of Sergeant and above will wear collar insignias designating their respective ranks on each shirt collar. Officers and Detectives will wear the “EPD” on each shirt collar.

(3) Sergeant will wear large white chevrons on their long sleeve shirts and small white chevrons on short sleeve shirts

(4) Any other insignias or awards that an officer wishes to put on their uniform must be approved by the Chief of Police.

(5). All sworn officers will have their department issued whistle with them.

E. Class B Uniform

1. The Class B uniform is the navy long and short sleeve Armorskin base shirt.

2. Officers will wear their issued Armorskin ballistic outer carrier when wearing the Class B uniform.

3. The Class B trouser will be a navy operational trouser.

4. The Class B trouser will not be bloused.

F. Special Assignment Uniforms

1. Bicycle Patrol Uniforms- The bicycle officers are authorized a highly visible, special duty uniform as determined by the Chief of Police.

2. Special Event Uniform- The special event uniform will consist of a department issued white/navy polo shirt. The shirt will have Emporia PD on the left side. The special event trouser will be the gray tactical pants or shorts.

a. Officers will display their department issued badge of authority when wearing the special event uniform.

b. The special event trouser will not be bloused.

c. Authorization to wear the special event uniform is by approval of the Chief of Police or Major, or under the authority of a Special Event Plan of Action.

G. Hats – The Department has three (3) different style hats that Officers may wear during their tour of duty. They are the Class A, baseball cap and winter hat.

1. Class A - The issued “Class A” uniform hat will be worn at ceremonial functions, such as: holiday services and funerals. The hat may be covered with a rain cover as weather conditions necessitate.

2. Baseball Cap – The baseball cap may be worn during all shifts and/or by officers assigned to special events.

3. Winter Hat - The Department issued winter hat may be worn during cold weather in place of the baseball cap. The shift supervisor will have the discretion to authorize the winter hat to be worn. Also, this hat will not be worn during any ceremonial functions.

H. Coat/Jacket Raincoat/Traffic Vest

1. Winter Coat – This coat can be worn with the short sleeve shirt or the long sleeve shirt with the badge, name bar and rank insignia displayed.

2. Raincoat - The raincoat shall be worn with the badge displayed. If it is the reversible type, the high visibility reversible lining must be displayed when conditions necessitate.

3. Traffic Vest - The traffic vest shall be worn while conducting traffic control. The high visibility side of the raincoat may be used in lieu of the traffic vest, during inclement weather.

I. Duty Style Belt – The Department authorizes two style of duty belts that Officers may wear when assigned to uniformed operations. Officers may choose between a black leather or web gear style belt. In lieu of wearing a duty belt the officers may wear the following equipment on their outer carriers attached to the molles, except for the holster and duty firearm. The following items are mandatory for the duty belt:

1. Holster with Firearm;

2. Magazine Pouch with Magazines;

3. Handcuff Case with Handcuffs;

4. ASP/Holder;

5. OC spray/Holder

6. Portable Radio Holder with Radio;

7. CED holster with CED.

a . In addition to the mandatory equipment on the duty belt, officers may wear a black flashlight holder, black key holder, a second handcuff case and handcuffs, phone with holder. All cases for additional items must be made of black leather, web gear or whichever is appropriate; or with the outer carrier will be either the nylon issued or a polymer case.

J. Flashlights - Officers will utilize the department issued flashlight or they may utilize a personally owned flashlight.

K. Socks - Sworn and civilian uniformed employees must provide socks to be worn with the uniform. When wearing the low quarter shoe, only dark blue or black socks may be worn.

L. Whistle – Officers are required to carry a whistle so it is readily available when assigned to duties requiring such equipment.

M. Uniform for Surveillance or Stakeout - When a surveillance or stakeout operation is conducted within a structure for the apprehension of offenders for crimes in progress, sworn members shall be dressed in an issued police uniform, with the badge and shoulder emblem visible and uncovered. Such operations not involving anticipated apprehension for a crime in progress, or which must be performed without officers being recognized as such, may be undertaken in appropriate clothing as determined by the squad supervisor.

1. Any questions concerning uniforms or equipment should be brought to the attention of the employee’s supervisor.

N. Maintaining the Uniform and Assigned Equipment - The care, maintenance and safekeeping of assigned uniforms and equipment are the responsibility of the employee to whom such items are issued. The issued uniforms and equipment shall be subject to periodic inspections. All employees of the Police

Department are responsible for the care and maintenance of all uniforms and equipment issued to them.

O. Lost/Damaged Uniforms/Equipment – Uniforms and/or equipment that is lost or severely damaged shall be reported, in writing with the "Property Request Form". A memorandum may be required by the employee to his/her supervisor at the supervisor's discretion.

1. The employee's supervisor will conduct an inquiry to determine whether the lost or damaged property was the result of normal wear and tear or through employee negligence.

2. The employee's immediate supervisor will submit his/her findings to the Office of The Chief of Police through the chain of command.

3. If the findings are found to be the result of employee negligence, that employee shall be subjected to progressive discipline in accordance with General Order 16.1.3 (G) (5) (a-f).

P. Extra Set of Uniforms in Locker - It is the responsibility of the employee to ensure that a full complement of uniforms and equipment are maintained at the police department should the employee be called for duty. When stored in the employee's locker, uniforms should be spaced to avoid wrinkling. Because of limited space afforded in the employee's locker, only a necessary supply of uniforms and equipment should be stored there. It is the employee's responsibility to store items not worn during a particular season at the employee's home. The officer's duty belt, and all items worn on the belt, must be maintained in such a manner that ensures a uniform black color. Boots/shoes shall be kept clean of dirt and grit, and shall be polished.

Q. Communications Attire-

1. Communications Personnel may wear the Emporia Police Department polo shirt and khakis or slack, or be dressed in business casual while on duty with the Communications Center.

R. Civilian Attire - Unless otherwise instructed by a supervisor or higher authority, civilian attire worn by all on-duty employees must be of a style and design, which would by, considered acceptable business attire for professionals in administrative government positions.

1. Male employees may wear a business suit with a tie or a sport coat with tie, or a polo shirt and khakis

2. Female employees shall wear a dress, skirt with blouse or pant suit with jacket. When a supervisor has instructed that casual attire may be worn for a particular assignment, such attire shall be clean and in good taste. Slacks, open collar shirts, and presentable shoes and socks may be worn. Female employees may elect to wear a skirt of appropriate length, in lieu of trousers, and appropriate footwear in lieu of socks and shoes.

3. Friday's have been designated as dress down Friday and blue jeans area acceptable as long as they do not have any holes or are unpresentable.

S. Personal Equipment

1. Police Equipment-

a. Employees who desire to utilize their personal property must have it approved by the Major, who will notify the Chief of Police. The Major will make a visible inspection of the employee's request to ensure that the equipment is not sub-standard.

2. Communications Equipment-

a. The Emporia Police Department will issue Communications personnel the necessary equipment to accomplish their job duties. The supplied equipment may be, but not included are headsets, microphones, keyboards, mice and earpieces. Communications Personnel may not utilize personally-owned equipment.

22.13.2 GENERAL APPEARANCE AND GROOMING

A. Appearance and Grooming - Respect for the police is predicated upon the appearance and personal grooming of all EPD officers. For this reason it is very important that each member of the EPD adhere to the regulations of this General Order. It is the responsibility of each supervisor that employees under their supervision maintain a clean, neat and well-groomed appearance.

1. Sworn Male Officers

a. Hair shall be tapered to the sides in such a manner that the ear is not covered from the front, side or rear. Hair shall be evenly trimmed. Hair in back of the head shall be trimmed in such a manner that it does not

extend over the shirt collar. Hair shall not be worn in braids, plaits, pigtails, or drawn together and pinned.

b. Sideburns may extend to the ear lobe and must be rectangular in shape. Sideburns must be neatly trimmed and shall not be unkempt in appearance.

c. Mustaches must be neatly trimmed with the growth limited to a quarter of an inch beyond the corner of the mouth. The ends of the mustache shall not be waxed or twisted.

d. No beards are permitted.

(1) Personnel with medical conditions, which prevent them from shaving facial hair, must submit a memorandum to the Major signed by the treating physician. The memorandum shall state whether the condition may be treated with medication and the period of time that the officer will not be able to shave. During this period the officers' beard shall not exceed a quarter of an inch. At the end of the specified treatment period, the officer will be required to resume shaving and submit a memorandum signed by the treating physician. If an officers' beard grows longer than a quarter of an inch, then they will be assigned to duties that are not in the public view.

(2) **"No Shave for Charity Program."-** The only exception to the No Beard Policy stated above is a community involvement program entitled; "No Shave for Charity." No Shave for Charity is another avenue for the Department to give back to the community that we serve. This program will allow male employees to grow either a full beard or goatee while working a uniformed or plain-clothes assignment.

Officers participating in the program can pay cash to the Chief of Police on a monthly ($20), quarterly ($60), semi-annual ($120) or annual basis ($240). No personal checks or debit/credit cards will be accepted.

The Chief of Police will maintain a spreadsheet, along with a cash box with all employee's listed

on it and will check off which employees are participating and those that are not participating.

Officers are required to ensure that beards or goatees are trimmed around the neck and will not be more than quarter inch in length.

If an officer chooses to not participate in the up-coming month, then the only thing that they will need to do is not donate $20.00 and ensure that they are in compliance with the General Order stated above relating to 22.13.2 General Appearance and Grooming A1 –No Beards.

The Chief of Police will determine what charity or charity's will receive the donation.

e. Earrings shall not be worn by any male member of the Department while in uniform or assigned to General Investigations

f. The narcotics detective is permitted to grow a beard and allow their hair to grow over the collar and may wear an earring if they desire to do so.

2. Sworn Female Officers

a. Hair shall not fall below the collar and may be pinned against the head to meet this requirement. The style shall not prevent the uniform hat from resting properly on the head.

b. Earrings, small plain button or post type in gold, silver or pearl colors, may be worn by female officers. Only one earring may be worn in each ear. Loop, ring or dangle style earrings shall not be worn.

3. All Officers – The general appearance of an officer shall not be altered by personal fashion accessories.

a. Visible necklaces shall not be worn.

b. Sunglasses, with undecorated frames, may be worn. Mirrored sunglasses shall not be worn.

4. Communications and Civilian Employees – Employees shall

maintain a clean, neat and well-groomed appearance. Hairstyles shall be consistent with those worn by City employees who work in a business office environment.

22.13.3 PROTECTIVE VESTS

A. Protective vests are supplied by the Department to all officers.

B. All Officers and Supervisors assigned to Patrol and Special Operations shall wear a protective ballistic vest while wearing their department issued uniform.

C. Executive Staff and plain clothes detectives shall have their issued protective ballistic vest readily available to them at all times.

D. All personnel engaged in a pre-planned, high risk situation shall wear a Department supplied protective vest. High-risk situations include, but are not limited to, execution of drug search warrants, operations involving hostages or barricaded suspect (s), or ***any*** operation, which the supervisor of the operation feels that use is necessary.

22.14 USE OF POLICE VIDEO CAMERAS

A. Policy - The EPD has assigned video cameras to each of its vehicles within the Department. The routine use of video equipment in patrol vehicles is for the purpose of collecting evidence which can be used in the prosecution of those subjects who violate criminal and traffic laws of this Commonwealth. The Mobile Video Recordings can also be used for training purposes and supervisory reviews. In order for the capabilities of the MVR (Mobile Video Recorder) to be fully utilized, a systematic method of deployment is necessary. The following policy is required for effective management of this resource:

B. Procedure -

1 . Utilization - The video camera will be used by officers' during the following:

a. Traffic Stops (to include but not limited to; traffic violations, stranded motorist assistance and criminal interdiction stops)

b. Priority response;

c. Vehicle pursuit;

d. Prisoner transport;

e. Crimes in progress;

f. Suspicious circumstances calls;

g. Any incident that the officer, through their training and experience, believes that it should be recorded.

h. There will be audio transmitted any time the video is recording. The video camera equipment will remain mounted in the assigned vehicle to which it was originally installed, and will not be removed to another vehicle unless authorized by the Major. Supervisor and command staff will be the only individual who will have access to review videos.

C. Inspection of Equipment - The video camera will be inspected by the On-duty patrol officer at the beginning of the shift and the supervisor during the monthly vehicle inspections. The inspection will consist of the following:

1. Ensure hardware is intact;

2. Ensure system powers up correctly;

3. Check to see that the cameras are facing the correct direction and camera lenses are free of obstructions;

4. Any malfunctions, damage, or missing parts shall be reported to the supervisor immediately and the following is completed:

   a. A report shall be placed in written form on the department's damaged property report;

   b. Once in writing it will be forwarded to the Major.

D. Security- The recorded media is stored on a cloud-based server which is accessible to each officers to view their own videos and supervision to review all personnel based on the employee's user name and password.

E. Numbering– The MVR system records media and stores it by vehicle, date and time of the incident.

F. Viewing – Officers may view recorded media while in their patrol Vehicles and on the website of the in-car camera vendor. The media on the MVR automatically is downloaded to the cloud-based server.

G. Supervisor responsibility – Supervisors are responsible for the following:

1. Ensuring the status of the video system;

2. Monitoring and verifying reports of malfunctioning equipment;

3. Conduct a periodic review of their assigned officers using the recorded media;

4. Each supervisor will be assigned a unique username and password to access the recorded media server. Supervisors are solely responsible for the use and security of their password, the password embeds their login information on the video every time it is viewed.

5. Ensuring that no audio-visual recordings are made while reviewing a video

H. Evidence/Court Use - The investigating officer will flag their event using the in-car system, and if possible add the case

number before closing the recorded file. The officer will then transmit and email the Major requesting the event recorded be burned to a DVD for evidence. The email must contain the vehicle number, date, time, and case number (if applicable) and be carbon copied to their supervisor. The Major will package the DVD as evidence in preparation for court and in all cases where it is believed to be relevant. All DVD's to be used in court will be secured in accordance with General Orders, Chapter 39, *Evidence and Property Control.* It is the responsibility of the investigating officer to notify the Commonwealth Attorney's Office so that the prosecuting attorney can view the DVD in preparation of the case.

I. The Major or the Administrative Service Manager are the only authorized individuals who can burn a DVD,

J. Storage – Recorded media shall be kept for ninety (90) days, once downloaded to the server. After ninety (90) days the cloud-based server will automatically purge the recorded media, unless flagged by an officer or by the Major at the request of the officer.

K. Use of DVD's/Recorded Media for Training Aides

1. No DVD/recorded media shall be used as a training aide until all court proceedings and appeals have been exhausted.

2. Any DVD to be used as a training aid must first be approved by the Major, or the Chief of Police.

3. Officers will not make any unauthorized copies of any DVD's.

22.14 USE OF POLICE VIDEO CAMERAS

A. Policy - The EPD has assigned video cameras to each of its vehicles within the Department. The routine use of video equipment in patrol vehicles is for the purpose of collecting evidence which can be used in the prosecution of those subjects who violate criminal and traffic laws of this Commonwealth. The Mobile Video Recordings can also be used for training purposes and supervisory reviews. In order for the capabilities of the MVR (Mobile Video Recorder) to be fully utilized, a systematic method of deployment is necessary. The following policy is required for effective management of this resource:

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a. Traffic Stops (to include but not limited to; traffic violations, stranded motorist assistance and criminal interdiction stops)

b. Priority response;

c. Vehicle pursuit;

d. Prisoner transport;

e. Crimes in progress;

f. Suspicious circumstances calls;

g. Any incident that the officer, through their training and experience, believes that it should be recorded.

h. There will be audio transmitted any time the video is recording. The video camera equipment will remain mounted in the assigned vehicle to which it was originally installed, and will not be removed to another vehicle unless authorized by the Major. Supervisor and command staff will be the only individual who will have access to review videos.

C. Inspection of Equipment - The video camera will be inspected by the On-duty patrol officer at the beginning of the shift and the supervisor during the monthly vehicle inspections. The inspection will consist of the following:

1. Ensure hardware is intact;

2. Ensure system powers up correctly;

3. Check to see that the cameras are facing the correct direction and camera lenses are free of obstructions;

4. Any malfunctions, damage, or missing parts shall be reported to the supervisor immediately and the following is completed:

   a. A report shall be placed in written form on the department's damaged property report;

   b. Once in writing it will be forwarded to the Major.

D. Security- The recorded media is stored on a cloud-based server which is accessible to each officers to view their own videos and supervision to review all personnel based on the employee's user name and password.

E. Numbering– The MVR system records media and stores it by vehicle, date and time of the incident.

F. Viewing – Officers may view recorded media while in their patrol Vehicles and on the website of the in-car camera vendor. The media on the MVR automatically is downloaded to the cloud-based server.

G. Supervisor responsibility – Supervisors are responsible for the following:

1. Ensuring the status of the video system;

2. Monitoring and verifying reports of malfunctioning equipment;

3. Conduct a periodic review of their assigned officers using the recorded media;

4. Each supervisor will be assigned a unique username and password to access the recorded media server. Supervisors are solely responsible for the use and security of their password, the password embeds their login information on the video every time it is viewed.

5. Ensuring that no audio-visual recordings are made while reviewing a video

H. Evidence/Court Use - The investigating officer will flag their event using the in-car system, and if possible add the case

number before closing the recorded file. The officer will then transmit and email the Major requesting the event recorded be burned to a DVD for evidence. The email must contain the vehicle number, date, time, and case number (if applicable) and be carbon copied to their supervisor. The Major will package the DVD as evidence in preparation for court and in all cases where it is believed to be relevant. All DVD's to be used in court will be secured in accordance with General Orders, Chapter 39, *Evidence and Property Control.* It is the responsibility of the investigating officer to notify the Commonwealth Attorney's Office so that the prosecuting attorney can view the DVD in preparation of the case.

I. The Major or the Records Technician are the only authorized individuals who can burn a DVD,

J. Storage – Recorded media shall be kept for ninety (90) days, once downloaded to the server. After ninety (90) days the cloud-based server will automatically purge the recorded media, unless flagged by an officer or by the Major at the request of the officer.

K. Use of DVD's/Recorded Media for Training Aides

1. No DVD/recorded media shall be used as a training aide until all court proceedings and appeals have been exhausted.

2. Any DVD to be used as a training aid must first be approved by the Major, or the Chief of Police.

3. Officers will not make any unauthorized copies of any DVD's.

22.15 AUTOMATED EXTERNAL DEFIBRILLATOR (AED)

A. Purpose - This General Order is issued for the purpose of establishing guidelines for and defining the use and care of the Automated External Defibrillator, hereafter referred to as AED, in order to ensure the most effective and efficient delivery of emergency AED services to the citizens of the City of Emporia.

B. Policy

1. It is the policy of the Emporia Police Department to provide emergency AED services whenever possible to the citizens within its service area.

2. Use of this equipment is restricted to personnel trained in its operation

C. Definitions

1. AED Operator – An officer who has completed a training program approved by the Board in cardiopulmonary resuscitation and in the use of the AED and who is currently recognized as a member of an *Early Defibrillation Service* whose registration has not expired (as defined by the State Board of Health).

2. Automated External Defibrillator or AED – A device which combines a heart monitor and defibrillator and (i) is capable of determining, without intervention by an operator, whether defibrillation should be performed, and (ii) automatically charges and requests delivery of an electrical impulse to an individual's heart, upon determining that defibrillation should be performed.

D. Dispatcher Responsibilities

1. Dispatchers shall tone out all rescue calls that involve CPR in progress or respiratory arrest. The closest AED unit shall be assigned.

2. If a rescue squad arrives on a scene before the responding officer, the Dispatcher shall notify the responding officer that rescue is on the scene and to disregard.

E. Supervisor Responsibilities

1. Supervisors will ensure that all officers have an AED assigned to them.

2. Officers will ensure the AED unit is inspected for equipment and readiness and the officer's signature is placed on the Daily Check Sheets for each unit.

a. If the closest officer is out on a call or en route to a call, the on duty supervisor or Dispatcher shall determine whether to disregard this officer from the previously assigned call and assign them to the AED call. As a general rule, officers may be disregarded from code 2 or lesser priority calls to respond to an AED call.

b. It is imperative that the closest officer with an AED unit respond to the rescue call.

F. Officer Responsibilities

1. Respond to all assigned calls for CPR in progress or respiratory arrest. Respond Code

2. The dispatcher will disregard the officer if rescue arrives on the scene prior to the officer.

3. Do not expose AED to extreme high temperatures for a long period of time. Temperatures above 122 ° Fahrenheit can damage the AED battery.

G. Operation Procedures

1. Verify that the patient is unconscious; confirm absence of pulse.

2. Press *ON* to turn on the AED.

3. Prepare the patient for electrode placement:

a. If possible, place the patient on a hard surface away from standing water or conductive material.

b. Remove clothing from the patient's upper torso.

c. If necessary, dry shave excessive hair from the electrode sites. Avoid cutting skin.

d. Do not apply alcohol or other flammables to the skin.

e. Remove medication patches from electrode sites and wipe clean.

4. Apply the electrodes to the patient's chest as directed on the electrode. **WARNING! Do NOT** *place therapy electrodes in the anterior-posterior position when operating the AED*. A shock or not shock decision may be inappropriately advised.

5. Follow the screen messages and voice prompts provided by the AED.

H. Patients with Implanted Pacemakers - If possible, place defibrillation electrodes away from the internal pacemaker generator. Treat this patient like any other patient requiring emergency care. Pacemaker pulses may prevent advisement of an appropriate shock, regardless of the patient's underlying rhythm.

1. Special Instructions for Screen and Voice Prompts

a. ***Stand Clear*** **and** ***Analyze Now*** – **DO NOT** touch the patient, AED, cable or patches until *Check for Pulse* prompt given.

b. ***Stand Clear*** **and** ***Push to Shock*** – Operator immediately states: *I'm clear, you're clear, everybody's clear* and visually checks that no one is touching the patient; then depresses shock button.

c. ***Connect Electrodes*** – Verify cable connected fully to AED. Verify patches stuck to chest. If excessive chest hair is present, remove patches, dry shave chest and use NEW patches.

I. Safety Procedures

1. The AED will self-check automatically every 24 hours at 03:00 a.m.

2. The AED units will be inspected daily for absence of trouble symbols and presence of supplies by the officer using the Daily AED Check Sheets located in a notebook in the Lieutenants' Office.

J. Training - Training will be provided in accordance with the State Board of Health Standard.

K. Records and Reports

1. The following records and report shall be maintained by the Administrative Assistant:

a. Current personnel records of AED training for employees providing documentation of training and qualifications including evidence of certification.

2. Records of each AED currently in use to include maintenance records and records of safety inspections.
3. A CAD event report shall document the utilization of the AED for instance where the AED is deployed and eventually applied to an actual or potential patient.

L. Provisions of Care

1. Personnel shall be responsible for providing care consistent with their levels of training.

2. Personnel shall be authorized to withhold treatment from patients in respiratory and/or cardiac arrest only when provided with documentation that the patient involved has a valid *Do Not Resuscitate Order*.

3. Medical information concerning any individual is confidential and shall not be shared or disclosed except for continuing medical care or for investigations by the Department of Health.

4. Personnel shall not leave a patient without assuring that an equal or higher level of care is provided. Informed consent shall be obtained or informed refusal of care shall be documented by responding EMS workers.

22.16 ASSIGNED CAR PROGRAM

A. Purpose - The purpose of the assigned car program for the Emporia Police Department is to enhance the quality of service it provides to the community. This program will provide a higher visibility of police presence and provides additional eyes and ears within the community. The assigned car program will serve as a workforce multiplier, and will make the officer's equipment more readily available. Finally, this program will aid in the future recruitment of officers who are interested in employment with the City of Emporia.

B. Assignment –

1. All Officers will be assigned a police vehicle.

2. According to City Policy 1-5; Officers who reside within the corporate limits of Emporia, Greensville County, or a 25 mile radius of the city will be authorized to take their vehicles home.

3. According to City Policy 1-5; Officers who reside outside of the corporate limits of Emporia, Greensville County, or a 25 mile radius of the city will not be permitted to drive the vehicle home.

4. If an officer's assigned vehicle is out of service for any reason, then their section supervisor will assign them a fleet vehicle. Under no circumstances will an officer borrow another officers vehicle to work selective enforcement or patrol duties.

B. Utilization – Officers who are assigned a police vehicle utilize it:

1. While they are on duty.

2. While they are working selective enforcement.

3. When they are assigned to training while out of the jurisdiction.

4. When they are out of the jurisdiction on city/department business.

5. Officers who are assigned a specific specialization with a Department vehicle must ensure that all the equipment from their specialization is in the vehicle to ensure prompt response to the scene.

6. Officers who are working an extra duty assignment may use their assigned police vehicle to perform the functions of that

extra duty assignment. Officers must be prepared to respond to assist officers in patrol at the request of the patrol supervisors.

7. Officers who are working an off duty assignment may not use their assigned vehicle. This is an assignment that the officer's police powers are not anticipated and the need for the use of police vehicle is not necessary.

8. At no time should a City vehicle be used for purposes other than for the transaction of city or department business.

9. It is understood that Officers who are working may need to go to various businesses once they get off duty. Officers are allowed to utilize their assigned vehicles to take care of those errands prior to returning home.

9. Failure to comply with the conditions of this General Order will result in the officer losing their privilege to have an assigned car, or they may be subjected to more progressive disciplinary action.

C. Responsibilities – Officers assigned a police vehicle will:

1. Respond to emergency calls for service when requested.

2. Serve as back-up unit to on-duty officers when needed.

3. Take enforcement action for motor vehicle and criminal violations within the City of Emporia.

4. Officers assigned a police vehicle must notify the Department where the vehicle is being housed and upon a change of location immediately notify the Major.

22.17 MOBILE DATA TERMINALS

A. Policy

1. It is the policy of the Emporia Police Department to provide Mobile Data Terminals (MDT) to officers in the field to assist them in accessing information through both the state and national crime indexes (VCIN & NCIC). The Mobile Data Terminals will also provide a wireless link to the Virginia State Police that will allow for text messaging interoperability in times of need.

2. The Mobile Data Terminal is another tool available to our officers to carry out the mission of the Emporia Police Department. The MDT is not designed, nor will it replace standard radio communication and service requests handled by the Communications Center.

3. MDT hardware and software shall be used for law enforcement purposes only.

B. Purpose

1. The purpose of this general order is to clearly define the proper uses and ensure that MDTs are utilized in a safe and cautious manner.

C. Procedures

1. Only those persons certified in the use of the MDT and the systems that it accesses are authorized to operate the equipment.

2. Individuals issued MDTs shall ensure that use is in accordance with all applicable policies of the Emporia Police Department's General Orders Manual, the Virginia Criminal Information Network (VCIN) Manual, and all user training.

3. Messages transmitted or received by MDTs may be subject to Freedom of Information Act requests and subpoena duces tecums. Queries of network databases are logged. Messages sent or received by MDTs are logged and captured by the Computer-Aided Dispatch (CAD) system.

   a. Electronic messages, queries, and retrieved data are considered official correspondence and shall be handled with the same degree of propriety and confidentiality.
   b. The MDT shall remain in the possession and control of the employee(s) to whom it is issued. To ensure

that database access and locally stored information are not accessible to passengers, prisoners, or motorists, the MDT shall be secured at all times and will not be left unattended while operational.

c. For safety reasons, the MDT display screen shall be positioned so that retrieved information can be viewed only by the operator and other authorized persons. The screen must be either fully opened or closed, and pedestal height at lowest level to comply with the air bag deployment zone. Officers must use due care when operating the MDT while their patrol vehicle is in operation.

d. When Officers are receiving a call for service from the Communications Center, there will be initial radio traffic between the Communications Center and the Officer.

(1) The Officer will then utilize their MDT's to document that they are enroute, arrival and departure from the scene of a call for service. In addition, the Officer should document all of their notes in their MDT.

(2) Officers will contact the Communications Center by radio to make appropriate notifications for them; examples are, but not limited to: next wrecker on the list, contact District 19, notify Family Violence and Sexual Assault Unit.

e. When Officers are making a traffic stop, conducting self-initiated activity, the Officer will transmit all of their radio traffic to the Communications Center through their MDT's unless the officer determines that the utilization of the MDT may cause a safety risk to, or in extenuating circumstances or emergency situations.

4. In order to protect access to sensitive information and ensure accountability, MDT users shall not divulge their password to others. Users shall change their password when required by the server software, or whenever a security breach is known or suspected.

5. The MDT shall remain locked in the docking station, screen opened, and pedestal height at lowest level while the vehicle is in motion to ensure safety of the driver and passengers during air bag deployment. Employees are to operate their vehicles with due regard for the safety of others and themselves.

6. Employees are responsible for the care, maintenance, and proper use of MDT equipment in their possession or control. Every effort shall be made to protect and secure the MDT and related equipment from theft, damage, or exposure to the elements or environmental hazards.

   a. The MDT shall be removed from the patrol vehicle when the officer is out of the patrol vehicle for an extended period of time. The MDT may be damaged if left in extreme heat or cold weather.

   b. At no time will the MDT be left in the police vehicle overnight unattended.

   c. The MDT shall be locked and properly secured while in the patrol vehicle.

   d. The MDT shall be powered down and removed from its docking station prior to charging the vehicle battery, or any jump-starting activity involving the vehicle.

   e. Foreign objects, such as pens, pencils, and paper clips, shall not be placed on the MDT, screen, or keyboard.

   f. Magnetic objects, such as magnetic clips or dash lights, shall not be placed near the MDT.

   g. Beverages shall not be placed on, above, or in proximity to the MDT equipment in such a way that liquid may be spilled into the unit.

   h. Officers experiencing “hardware related” problems or failures during their normal shift, but outside of normal working hours (between the hours of 5:00 p.m. and 8:00 a.m., weekends, or holidays) should revert to standard two-way radio practices for driver or vehicle queries.

   i. The Officer shall keep the screen cleaned by using a dry cleaning cloth.

   j. Upon receiving a message at the mobile terminal to “log off” the Officer should do so as soon as practical to avoid reconnect problems.

7. Any physical damage or loss of the MDT or any of its accessory components shall be reported immediately to the employee’s supervisor.

8. Only persons authorized by the Emporia Police Department

shall add, remove, modify or reconfigure software or hardware on the MDT. Employees are not authorized to load any software programs into their MDT's.

9. Employees will not manipulate or alter software programs that have been loaded onto Department MDT's.

10. When an MDT is equipped with peripherals or network connections to allow loading of documents, forms, software or other files, such files shall be scanned with a current version of Department-approved virus scan software prior to loading.

11. The MDT will be subjected to and operated in only those environments for which it was designed and intended.

D. Prohibited Activities

1. No Department member shall misuse the MDT in any manner, including but not limited to:

   a. Displaying or giving any information to unauthorized individuals. Using the MDT for accessing any confidential files or information for any reason other than for law enforcement purposes.

   b. Use any inappropriate, obscene, vulgar, offensive, sexually suggestive or otherwise improper language in any messaging or correspondence.

   c. Threatening or intimidating another person.

   d. Sending images that contain nudity, or to send images or words of a sexually suggestive nature, even if the recipient has consented to or requested such material.

   e. Sending jokes or comments that tend to disparage a person or group because of race, ethnic background, national origin, religion, gender, sexual orientation, age, verbal accent, source of income, physical appearance or agility, mental or physical disability or occupation.

   f. At no time will an officer de-activate their GPS in their mobile data terminals. In addition, officers need to ensure that their GPS is working properly and will dock their MDT into the docking station while it is turned off. This will cause the GPS to not work properly.

2. Supervisors may periodically check the officers or detectives assigned under their command to review the electronic

transmissions that are being sent. In the course of an internal affairs investigation, the internal affairs investigator should check any electronic transmissions that officers have sent to each other during the incident.

3. Officers need to be aware that they do not have an expectation of privacy for any files that they have saved to the city MDT.

22.18 USE OF BODY WORN CAMERAS (BWC)

I. POLICY

This policy will provide Emporia Police Officers with instructions on when and how to use BWCs, to accurately record law enforcement actions, and to capture evidence for investigations and court proceedings. Additionally, the use of BWCs may result in reducing the number of complaints against officers and frivolous lawsuits against the Police Department. This procedure also sets forth guidelines for the management, storage, release, and retrieval of audio –visual media recorded by BWCs. Emporia Police officers shall activate the body-worn cameras (BWCs) when such use is appropriate to the proper performance of his or her official duties and where the recordings are consistent with this policy and the law. The use of BWCs is intended to enhance transparency and accountability. This policy does not govern the use of covert recording devices used in undercover operations.

II. PURPOSE

The BWC is an “on the body” video and audio recording system assigned to an officer as an additional means of documenting specific incidents in the field. BWC is another tool available that enables the officer to document encounters with citizens and/or crime scenes. The camera’s ability to record events from the perspective of the officer wearing the camera has the potential to greatly raise solvability factors in the investigation of a crime, as well as, providing the investigating officer and any assisting officers the opportunity to review the recording for accurate documentation of an incident and subsequent trial preparation.

III. PROCEDURES

A. Use of BWCs Generally

1. The BWC shall be activated to record during all field contacts involving actual or potential violations of law to include:

    a. Traffic Stops;

    b. Suspicious vehicles or persons;

    c. Arrests;

    d. Voluntary contact of an investigative nature.

2. The BWC also shall be activated when responding to the following calls for service:

    a. Disturbance or disorder;

b. Calls involving emotionally or mentally disturbed subjects, including service of emergency custody orders;

c. Offenses involving weapons or violence;

d. When responding to any “in-progress” call for service.

3. Additionally, the BWC shall be activated or utilized during the following situations:

a. While operating a vehicle in a manner that requires activation of the blue lights and siren in accordance with Virginia State Code.

b. During tactical activities, including the execution of a search warrant.

c. During warrantless searches of individuals, vehicles, buildings and other places.

d. During the initial inventorying of seized money or any high value property.

e. Enhancement of law enforcement reports and courtroom testimony;

f. Documentation of crime and accident scenes or other events that include confiscation and documentation of evidence and contraband;

g. Supervisor review and evaluation of reasonable suspicion, probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes;

h. Identifying and correcting internal agency issues (i.e. tactics, communication, policy compliance, customer service, officer safety, etc.); and

i. Enhance law enforcement training.

B. Equipment

1. Department issued BWCs shall be for official Departmental use only and shall not be used for non-work related or personal activities.

2. Emporia Police Officers shall use only those BWCs issued by the Department. The wearing of personally owned BWC equipment or audio/video recording equipment shall not be permitted.

a. BWCs shall be issued and assigned to specific law enforcement personnel.

b. Emporia Police Officers shall not use BWC equipment assigned to other officers.

c. When an officer's BWC is malfunctioning, the affected officer will submit an e-mail through their chain of command to the Major. The officer's supervisor will issue the officer a spare BWC and will document that issuance through an e-mail to the Major.

d. Intentional misuse or abuse of BWC equipment may result in disciplinary action.

C. Officer Responsibility

1. Prior to beginning a shift, officers shall retrieve their assigned BWC and conduct an operational inspection.

2. Any BWC equipment malfunction shall be immediately documented and a supervisor will be notified of the malfunction as soon as practical.

3. Ensure prior to the start of the shift, that enough media storage is available, at a minimum, to cover the entire shift.

4. The Officer will ensure that the BWC setting is placed in the Stand-by mode.

5. Officers shall upload video recordings to the server on a regular basis to ensure adequate space is given for all citizen interactions.

6. Officers shall activate the BWC during each law enforcement-public encounter related to a call for service, law enforcement action, subject stop, traffic stop, and/or police services if such activation does not interfere with officer safety or the safety of others. Additionally, the BWC shall be activated for tactical activities such as, searches of buildings and vehicles, searches for suspects and missing persons, seizing and processing evidence, and building checks when security alarms are triggered.

7. Where practical officers shall monitor the position of the BWC to ensure the BWC is capturing evidentiary versus non-evidentiary (e.g. ground, sky, officer's arm) footage.

8. Every officer on a scene shall activate their BWC and leave it on for the duration of the incident. This shall include transporting to and processing a person at the jail.

9. Officers shall note in incident, arrest, and related reports when video recordings were made. However, BWC recordings shall not be a replacement for written reports.

10. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts/mutes the recording the officer shall document the reason.

11. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without the prior written authorization and approval of the Chief of Police or a designee.

12. Officers shall not permit civilians to review recordings without authorization of the Chief of Police.

13. Officers shall download video files and charge the equipment at the end of each shift.

14. Officers shall mark files as evidentiary for the commonwealth attorney, non-evidentiary, or training demo. Additionally, each file shall contain the date, BWC identifier (i.e. the series of numbers and/or letters assigned to each BWC to distinguish one piece of BWC equipment from another), and the name of the assigned officer.

15. Officers may review their own videos.

16. Officers will not share their videos with anyone else.

17. At the conclusion of the shift officers shall conduct an operability inspection and report any issues to their supervisor.

D. Supervisor Responsibility

1. Supervisors shall:

    a. Ensure officers use BWCs in accordance with Department policy and procedure;

    b. Review evidentiary video and re-categorize for indefinite retention if a complaint is associated with a recorded event or the officer has reason to believe an incident may generate a complaint; and

    c. Conduct random weekly reviews of selected recordings in order to assess officer performance as well as identify videos that may be appropriate for training.

2. Supervisors may limit or restrict an officer from viewing the video file, if an officer is suspected of wrongdoing or involved in an officer-involved shooting or other serious use of force.

3. On a monthly basis, the Section Supervisor will inspect officers BWC to ensure that they are in good operational condition.

E. Privacy and Restricted Use

1. Whenever practical officers shall inform individuals that they are being recorded.

2. In locations where individuals have a reasonable expectation of privacy, such as a residence, individuals may decline to be recorded unless the recording is being made pursuant to an investigation, arrest, or search of the residence or individuals within the residence.

3. In general, BWCs are not to be used in the following circumstances:

    a. Communications with other law enforcement personnel without the permission of the office of the Chief of Police or a designee;

    b. Victims of Sexual Assault;

    c. Suspects during Rape Kit processing;

    d. Children;

    e. Encounters with Undercover Officers and Confidential Informants;

    f. Hospital and Doctor’s Offices not to violate patient rights; with some exceptions, to obtain evidence or if a situation becomes volatile.

    g. Communications involving law enforcement tactical and strategic policy, procedures, or plans;

    h. While conducting strip searches;

    i. When community members are reporting crime;

    j. Appearing before a magistrate;

    k. When officers are on break or otherwise engaged in personal activities;

    l. In restrooms or locker rooms;

    m. During any administrative or internal affairs interview.

4. Officers shall comply with individual federal, state, and local courthouse policies regarding the wearing of BWCs within respective courthouses.

5. Law enforcement officers shall comply with medical facility policies pertaining to video and audio recordings.

F. Access

1. The BWC equipment and all data, images, sounds, video, and metadata captured, recorded, or otherwise produced by the equipment shall be the exclusive property of the issuing Department.

2. All access to BWC data must be specifically authorized by the Chief of Police or a designee.

3. Officers may be permitted to review video footage of an incident in which they were involved, prior to preparing a report or making a statement about the incident.

4. All access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.

5. Officers requesting video for trials must make such requests through the Chief of Police or a designee at least ten (10) business days prior to the trial date. Situations where circumstances outside of the officer's control prevent such notification shall be handled on a case-by-case basis.

6. Court personnel (e.g. representatives from the Office of the Commonwealth's Attorney, Virginia Indigent Defense Commission, and the private defense bar) may request videos for trial through the Chief of Police or a designee.

7. Freedom of Information Act (FOIA) and media requests of video shall be submitted to the Chief of Police or designee and shall comply with requirements of Title 2.2 of the *Code of Virginia*.

    a. Video capturing criminal incident information pertaining to an ongoing law enforcement investigation or prosecution shall not be released if the release of the video is likely to jeopardize the investigation, prosecution, or safety of an individual; or likely to cause a suspect to flee or evade detection, or result in the destruction of evidence.

    b. Criminal investigative files are excluded from FOIA requirements but may be disclosed by the Chief of Police in his discretion, except where disclosure is prohibited by law.

    c. Administrative or Internal Affairs investigative files are excluded from FOIA requirements but may be disclosed by the Chief of Police in his discretion, except where disclosure is prohibited by law.

    d. Provisions will be made for blurring the image of individuals or the personal identifying information (e.g. license plates, addresses etc.)

of those not involved in the law enforcement act in question, and of crime victims, or an act described in section (C) (3) of this policy prior to releasing the video to the media or the individual making the FOIA request.

G. Evidentiary Value

1. Camera systems shall be used only for legitimate law enforcement purposes in accordance with applicable law and departmental policy. All data recorded is tamperproof and only information may be added to identify and categorize the incident for future evidentiary use. All evidentiary data stored shall be documented and saved as evidence and are part of the investigation case file.

2. As with all evidence, data stored is subject to disclosure and discovery rules. The original recording will be stored on the appropriate server. Videos of non-evidentiary value shall be categorized as "other." All other videos shall be marked by the Department case number.

3. Any portion of a recorded image that records events surrounding a violation of the law, whether it is a federal, state or local law is considered a record of a criminal investigation and is not considered a public record, until the criminal case has concluded.

4. Any portion of a recorded image that may be used to subject an employee to Departmental disciplinary action is considered to be part of that employee's personnel folder, and is only open to inspection as provided by state law, or unless it has been directed by a Court to be disclosed as evidence in a criminal proceeding.

    a. Employees who are the subject of an Internal Affairs investigation may review a recording of an incident prior to providing a statement, whether it is written or verbal.

    b. Any requests for copies of recordings either as a public record or through a subpoena will be forwarded or reviewed by the City Attorney.

H. Video Retention

1. Officers shall make requests for the deletion of portions of the recording (e.g. in the event of a personal recording, conversations with confidential informants etc.) in writing. The Chief of Police or a designee shall approve or deny requests in accordance with records and retention schedules issued by the Library of Virginia. All requests for deletions and the final decision shall be kept on file.

2. All video files shall be securely stored in accordance with the records and retention schedules issued by the Library of Virginia. If a video is re-classified to a different category (e.g. non-evidentiary to evidentiary) the video will be subject to deletion based on the new category and the original date of the recording.

3. Back-up storage for video files shall be provided.

I. Department Administrators

1. Administrators shall be designated by the Chief of Police and are responsible for:

    a. Providing training on all aspects and requirements on the use of the camera system.

    b. Overseeing the assignment of the camera system.

    c. Maintaining a spreadsheet of officers assigned a camera system.

    d. Will be responsible for the maintenance of BWC's

    e. Facilitating needed repairs.

    f. Monitoring available storage.

    g. Monitoring purging schedule for compliance.

J. Training

All personnel shall be trained in the use of their camera system by an administrator prior to use. Procedures for saving data will be provided to officers prior to issuance.

K. Off-Duty Recording

BWC's shall not be used for off-duty employment without prior approval in writing of the off duty employer. If so requested and approved, the off-duty officer will activate the BWC only for those matters and incidents permitted by this policy.

22.19 AUTOMATED LICENSE PLATE READER

A. Purpose

1. The purpose of this directive is to set forth guidelines to govern the use of automated license plate readers (ALPRs) by employees of the Emporia Police Department.

B. Policy

1. It is the policy of the Emporia Police Department to provide direction to field personnel for the use of ALPRs. A fundamental element of policing is locating stolen vehicles or vehicles involved in other criminal acts. Automated license plate recognition systems play an increasingly important role in public safety by assisting with the location of wanted vehicles and subjects while enhancing productivity, effectiveness, and officer safety. ALPR systems recognize, read, and compare motor vehicle license plates against various police databases much more efficiently than officers manually scanning and making comparisons while on patrol.

2. The Emporia Police Department leases access to automated license plate readers through Flock Group Inc., (Flock). Flock and their customers are responsible for the security, storage and retention of data collected by these systems.

C. Definitions

1. Alert: Also known as a “Hit” - A positive indication, by visual and/or audible signal, of a potential match between data on the “Hot List” and a license plate scanned by the ALPR system. An alert or “Hit” is NOT conclusive confirmation that a license plate is wanted, and additional investigation is always warranted when an alert is indicated.

2. ALPR Coordinator – Designee of the Chief of Police who will conduct annual or more frequent auditing and reporting of ALPR use and effectiveness to the Chief of Police.

3. Automated License Plate Reader (ALPR) (Falcon System) - A device that uses cameras and computer technology to compare digital images of license plates to lists of known plates of interest. ALPR’s may be deployed in different configurations including fixed (permanent or semi-permanent installation at specific location) and mobile (attached to a vehicle or trailer). Both configurations operate in the same manner.

4. Fixed Location ALPR - Fixed ALPR locations use cameras that are engineered to focus on the rear license plate of vehicles passing by the camera location. The camera images are sent by cellular data signal to an off-site server where the images are compared with license plates from NCIC and local hot lists. License plates that match an NCIC entry or hot list trigger an alert to the user who is logged in to monitor the ALPR system. Although all plates are imaged, only the NCIC entered or hot list plates trigger an alert. The images of the license plates of vehicles passing by the camera are retained for no longer than 30-days.

5. Hot List - License plates associated with vehicles of interest from an associated database, including, but not limited to, NCIC, DMV, Local BOLOs, etc.

6. Mobile ALPR - Mobile ALPR systems work in the same manner as a fixed ALPR. The cameras may be mounted on a vehicle or on a mobile trailer and can be placed in locations of investigative interest. The camera images are captured and cross-referenced in the same manner.

7. Scan File - Data obtained by an ALPR of license plates within public view that were read by the device, including potential images of the plate and vehicle on which it was displayed, and information regarding the location of the fixed or mobile camera position at the time of the ALPR read. Information stored includes a photo of the registration plate showing the rear of the vehicle, a date and time stamp of when the registration plate was read by the ALPR and a GPS coordinate to identify the location the registration plate was read by the ALPR.

D. Use of Automated License Plate Readers

1. Department personnel have access to leased and privately owned ALPR camera systems through Flock. These systems allow personnel to receive hotlist alerts if any of the cameras in the agency's jurisdiction captures images of a vehicle displaying a tag that is linked to the following NCIC categories:

    a. Supervised Prisoner Release;
    b. Any form of Protective Orders;
    c. Missing Person;
    d. Suspected Terrorist;
    e. Warrants;
    f. Stolen Tag;

g. Stolen Vehicle.

2. ALPR systems utilizing the NCIC's Hot List will download the file at least once within a 24-hour period.

3. Receiving alerts may or may not require immediate action. Officers receiving an alert will verify the plate number and state of origin to ensure that the alert is accurate. They will run the plate through VCIN/NCIC to confirm that the plate is still active in the database for the alert given. **The officer will then establish reasonable suspicion or probable cause before conducting stops, making detentions, or initiating arrests. Enforcement actions should not be taken solely on the ALPR alert.**

4. Officers may also access data when investigating any specific crime where the data may be able to provide suspect information. Data can be searched and filtered based on vehicle type, camera location and date/time. All searches of data will require a Search Reason. Officers will use the full incident number related to the case they are searching for as the search reason. If the search is based on a Call for Service, the complete CFS number will be used as the search reason.

5. All users shall receive instruction in the access and proper use of the system before receiving login credentials for the ALPR system.

E. Data Security and Access

1. Access to the Flock ALPR systems are achieved through individualized login to the Flock's web-based server. Once logged in, officers will be able to receive hotlist alerts within the system and can view and search data. Officers will be required to enter a search reason for auditing purposes.

2. Flock is Criminal Justice Information Services (CJIS) compliant, and all information is encrypted at rest in the cloud using Amazon Web Services (AWS) Key Management Service (KMS) keys, which use Federal Information Processing Standard (FIPS) 140-2 validated hardware security modules to generate and store the keys. All logins and queries will be stored and monitored including:

   a. Username
   b. Date
   c. Time

d. Purpose of query
e. License plate and other elements used to query the system.

3. Data points will be stored in the Flock system, and periodic audits will be conducted according to the policies of each Flock customer to ensure access was made by authorized persons for legitimate purposes.

4. ALPR data is considered a record of a criminal investigation and is confidential and not public record. Data shall not be disclosed outside of the Emporia Police Department except for safety purposes pursuant to a written or electronic request from another requesting law enforcement agency. The request must indicate the agency's incident number and why the agency is requesting the ALPR data, i.e., missing person, wanted subject, stolen vehicle, etc. A police department supervisor is authorized to release the requested information after reviewing and approving the request. The search for this information will use the requesting agency's incident number as the search reason. The written or electronic request, along with the approval or denial, will then be forwarded to the ALPR Coordinator for filing.

F. Storage and Retention

1. Flock Group, Inc., the ALPR vendor, will store the data (data hosting) and ensure proper maintenance and security of data stored in their cloud-based system. Flock will also oversee purging data at the end of the 30-day storage period. The department is responsible for extracting, downloading, and archiving footage from Flock on its own storage devices for auditing, prosecutorial and administrative purposes.

2. Any ALPR data requiring preservation past 90 days will require a preservation request or search warrant.

3. Information gathered or collected, and records retained by the Flock Safety system on behalf of Flock Safety Customers, will not be:
   a. Sold, published, exchanged, or disclosed for commercial purposes.

   b. Disclosed or published without authorization.

   c. Disseminated to persons not authorized to access or use the information.

23.1 CRIMINAL INVESTIGATIONS OPERATIONS

23.1.1 CRIMINAL INVESTIGATIONS PROCEDURES

A. Detectives will fairly, impartially and discreetly, investigate all cases assigned to them, mindful not to endanger the reputation of the person(s) under investigation. Detectives/officers will contact victims and witnesses promptly upon receiving a case and will contact the victim/complainant within 72 hours of any change in the status of their cases. This notification shall be documented on a supplemental follow-up report. Upon the conclusion of an active case, the complainant/victim shall be notified of the final disposition.

B. Information may be developed from witnesses, victims, informants, other officers, public agencies and through physical evidence.

C. Interviews may be conducted with persons that may have knowledge about a certain aspect of a criminal case. Interrogations may be used to question persons that may be involved in the criminal activity that is being investigated. Interviews and interrogations will be conducted in conformance with General Order, 2.1.2, *Constitutional Requirements.*

D. Physical evidence will be searched for, collected and preserved when investigating any crime scene in conformance with Chapter 38, *Collection and Preservation of Evidence*, of this manual.

E. Surveillance may be used in the investigation of a crime when it is necessary to observe suspects or conditions in an unobtrusive manner. This intelligence-gathering tool shall be conducted according to General Order 24.1.6, *Covert Operations*.

F. Non-employment background investigations will only be conducted in conjunction with an on-going criminal investigation. The information obtained in a background investigation will become part of the respective criminal case file. The records will be retained until the conclusion of the case. If no criminal activity was noted, these records will be purged by the Investigations Captain prior to the case file being sent to Records. Some sources to be utilized are:

1. Financial institutions.

2. Business institutions.

3. Former employers.

4. Utility companies.

5. Public records.

6. Criminal history files.

7. Law enforcement agencies.

8. Friends and acquaintances.

23.1.2 PRELIMINARY/FOLLOW-UP INVESTIGATION RESPONSIBILITY

A. Patrol officers shall conduct preliminary investigations on all dispatched calls. A detective may be called to complete the investigation depending on the seriousness of the crime and personnel availability. The patrol officer must do a follow-up investigation on any open case that the CIS is not assigned to work. Once assigned, the officer or detective receiving the assignment shall be responsible for the follow-up investigation.

B. The Case Management Review team will be the coordinator of all active criminal cases that the Department receives. Once a patrol supervisor approves the incident report, they shall channel the original report to case management where a decision will be made as to whether a case should be assigned to Investigations or sent back to a patrol officer for follow-up investigation.

C. All officers/detectives must maintain contact with their crime victims by telephone, correspondence or in person. Notification of any change in the case status must be made to the victim at the time of the status change. All contact shall be documented in official Department reports to ensure proper documentation in status and follow-up information, which can be entered in the records system. The officer/detective must determine if any further information can be obtained from the victim.

D. The Case Management Review team assigns follow-up investigations to detectives, who shall be accountable for bringing the case to a satisfactory closure. Below is a list of offenses that Detectives are subject but not limited to call-outs or follow-up investigation:

1. Abduction

2. Auto Theft

3. Burglary/Breaking and Entering

4. Child Abuse

5. Child Sexual Assaults

6. Felonious Assaults

7. Homicide

8. Suicide

9. Any Type of Death Investigation, to exclude Hospice Patients

10. Endangered Missing Person/Child

11. Rape/Sex Offenses

12. Robbery

13. Search Warrant Execution

E. Cases assigned by the Case Management Review team to detectives for investigation will include all serious criminal cases and some non-serious cases that require extensive follow-up investigation. Patrol officers will be assigned criminal investigations and hit and run cases when it appears that the investigation doesn't require complex follow-up investigation. Case assignments will be made at the discretion of the Case Management Review team.

F. Habitual Offenders

1. The EPD will identify and immediately bring to the attention of the Commonwealth's Attorney those cases in which an arrest has been made and the arrested person has been identified as a habitual offender. Officers shall apply the following criteria when profiling a possible habitual offender:

   a. Defendants having two prior felony convictions arising from separate incidents.

   b. Defendants having a prior felony conviction and two or more pending felony charges arising from separate incidents.

   c. Officer is able to articulate reasonable belief that

the defendant is a habitual offender based upon the criminal history and other data available to the Department.

23.1.3 PRELIMINARY INVESTIGATION PROCEDURES

A. All criminal complaints received by the EPD that occurred within the City will be documented with an incident report, **even if the reporting person does not want to prosecute or make a report.**

B. Preliminary investigations begin when the officer arrives at the scene of an incident, first makes contact with a complainant, or becomes aware that a crime has been or is being committed. The preliminary investigation continues until a postponement of the investigation or transfer of responsibility occurs. Officers conducting preliminary investigations shall:

1. Observe and document all conditions; events and remarks surrounding the event.

2. Summon and provide medical attention if needed.

3. Locate and identify witnesses.

4. Determine whether a crime has been committed, and if so, the exact nature of the offense.

5. Secure the crime scene and protect evidence.

6. Provide information through the radio communication to other officers regarding descriptions, method, direction of travel and all relevant information concerning suspects or their vehicles.

7. Interview the complainant and witnesses.

8. Interrogate suspects if appropriate.

9. Any On-Duty Supervisor has the authority to call a detective to the scene to conduct the follow-up investigation.

10. Arrange for the arrest of the suspect in conformance with all procedures and laws.

11. Record all pertinent information on proper departmental forms in accurate, complete and timely manner.

12. Relay vital information to the Communications Center personnel to ensure accuracy in data entries in NCIC/VCIN, or departmental records.

13. Complete any other action, which may aid in resolving the situation, solving the crime or as directed by a supervisor.

C. The information supplied by a victim or witness to the first officer on the scene is frequently the most important factor in solving a crime. Generally, the first patrol officer on the scene will conduct the preliminary investigation. The supervisor will decide when to call in a criminal detective, based upon General Order, 23.1.2 (D) above. When a detective is called in, the patrol officer will continue to assist in the preliminary investigation of the incident under the direction of the detective.

23.1.4 FOLLOW-UP INVESTIGATION PROCEDURES

A. This guideline is provided to assist the detective/officer in addressing the many variables of the follow-up investigation. The detective/officer shall:

1. Review and analyze all previous reports prepared in the preliminary investigation.

2. Conduct additional interviews and interrogations.

3. Obtain written statements and confessions.

4. Review Department records.

5. Gather additional information from other officers or informants.

6. Review any laboratory examinations.

7. Arrange for dissemination of the appropriate information.

8. Plan, organize and execute necessary searches.

9. Prepare case for court.

10. Assist the Commonwealth Attorney's Office as necessary.

11. Identify and arrest suspects.

12. Collect physical evidence.

13. Determine the involvement of suspects in other crime.

14. Examine the criminal history of all suspects.

15. Conduct follow-up interviews with the principals of an investigation within five (5) days of the initial contacts. Such contact often leads to additional information being obtained, and often aids victims in their attempts to recall events. These follow-ups often reassure victims that efforts are being made to solve the crime.

B. Filing Subpoena Requests – The court's original form and one copy should be included in the original report. It should also be documented in your report that the subpoena request is included in the report. If no subpoena request is needed for that case, then, that, too should be documented at the bottom of your IBR narrative. For example:

"NO SUBPOENA REQUEST NEEDED"

1. Subpoena requests shall not be turned in directly to Records. After review by supervisor, the original subpoena request, plus one copy, is attached to the accident and/or incident report, and then submitted to Case Management, as well as with the Commonwealth Attorney's packet.

   a. There will be only one defendant per subpoena.

23.1.5 SEXUAL ASSAULT INVESTIGATION

A. Policy- This policy is to establish procedures for coordinating preliminary and follow-up investigations of sexual assault and sexually related offenses. "Sexual assault" means those offenses involving sexual penetration or sexual contact with any person by force or threat of force, fear, intimidation, ruse, or through the use of a person's mental incapacity or physical helplessness, or any other attempts to force sexual penetration/contact on any person.

B. Procedures:

1. General Responsibilities:

   a. Detectives of the Emporia Police Department will thoroughly investigate all sexual assault cases.

   b. Department personnel shall be aware of community services available to victims of sexual assault.

c. Department personnel shall use appropriate communication skills when interacting with sexual assault victims.

2. Officer Responsibilities: The patrol officer has certain immediate responsibilities. They are:

a. Give attention to the victim's physical well-being and emergency medical needs.

b. Preserve the crime scene.

c. Be alert to any suspect in the vicinity.

d . Give crime broadcast, if applicable.

e. Explain their role to the victim and what will be done during the investigation.

f. The patrol officer shall obtain detailed information essential to determine what offenses occurred.

g. The officer will concentrate on obtaining information that will establish the basis for misdemeanor or felony offenses, and determine if probable cause has been developed to arrest a suspect.

h. Obtain preliminary statement.

i. Establish rapport and obtain information to meet the victim’s needs.

j. The officer shall inform the victim of counseling services available.

k. Inform the victim that the Criminal Injuries Compensation Fund pays counseling and other crime-related fees.

l. Determine if the victim would prefer to have a support person (family violence advocate, family member, or friend) present.

m. The detective shall arrange for transportation for the victim to and from the hospital for a sexual

assault (PERK) exam, if the assault occurred within the 120 hours. m. Explain the medical and legal advantages of this exam.

n. Inform the victim to take along a change of **all** clothing.

o. If the assault occurred more than 120 hours, the officer will encourage the victim to seek medical help.

p. If any victim is in need of a sexual assault exam, then the responding Detective will transport the victim to VCU/MCV Hospital or if available an advocate from FVSAU may transport the victim to the hospital.

3. Detective Responsibilities:

a. The detective shall obtain a complete report from the patrol officer assigned to the case.

b. The initial contact with the victim may happen in different ways:

(1) At the crime scene: The officer shall protect the crime scene and the detective shall establish rapport with the victim, transport the victim to the hospital, and begin the preliminary investigation.

(2) At the hospital: The detective shall *arrange for the collection of evidence* needed for prosecution, explain sexual assault exam procedures, and establish rapport for further interviews. The detective shall not be in the examining room during the sexual assault exam, unless the victim requests the presence of the detective and they are of the same sex. The detective shall have the victim sign a consent form in order to obtain a copy of the hospital report.

(3) At the Department: The detective shall review the patrol officer's report before interviewing the victim; establish rapport with the victim by allowing them to ask questions or voice concerns.

c. Officers and detectives shall establish a good

working relationship with Family Violence and Sexual Assault Unit in the best interest of the victim. This approach is intended to promote more effective interactions with a victim when a crime does occur.

d. The detective will allow the Family Violence and Sexual Assault Unit advocate be with the victim for support**,** if it does not negatively impact the investigative process.

e. The detective and the Family Violence and Sexual Assault Unit shall prepare the victim for each phase of the investigation, by explaining what must be done and the reasons why.

4. Follow-up interviews by the Detective:

a. **Privacy is a necessity for follow-up interviews. Choose a quiet room free of interruptions at the department or go to the victim's home.**

b. It is **not** appropriate to subject a victim to a polygraph exam and the refusal of a victim to agree to such an exam cannot be used as a reason for *not* conducting an investigation.

c. The detective should anticipate some confusion, memory suppression or reluctance to discuss fear-inducing or humiliating details of the incident.

d. Questions which must be addressed include the following.

(1) Assault circumstances: Where approached? How? Where occurred? When?

(2) Ask HOW questions, while avoiding "WHY" questions.

(3) Assailant: Name, if known? Age? Race? Color of hair? Clothing? Height? Weight? Identifying marks? Relationship to victim, if any?

(4) Multiple assaults occur? Other crimes committed?

(5) What happened during and after the assault?

Were weapons used? Were threats made? What were they? Was there a struggle? Injuries sustained? Drugs/alcohol involved? Was the victim incapacitated in any way? Sexual detail--what did assailant do? Did he ejaculate? Was a condom used? What was said?

(6) How long was assailant with victim?

(7) At the conclusion of the interview, the detective will ensure that the appropriate victim/witness referrals have been made.

(8) Inform the victim that it is common to remember more details later. Give the victim your contact information, and advise them to call if they have any questions.

C. Evidence Collection:

1. At the Crime Scene:

a. Evidence collection is intended to identify the criminal, and to discover the exact manner in which the crime was committed.

b. Physical evidence can also corroborate the victim's statement.

c. During evidence collection, keep in mind all that you know from the victim about the manner in which the crime occurred. Also be alert to evidence that can tell you details that the victim does not know or remember.

d. DNA evidence is now one of the most important and reliable forms of physical evidence establishing the presence of a suspect at a crime scene, as well as corroborating the victim's testimony.

e. Collect undergarments, clothing, bedding, rugs, smoking materials, condoms, or other appropriate items which may contain semen, blood, saliva, hairs, fibers, wash cloth, towels, bottles, glasses, or other objects.

f. Search scene for foreign objects (buttons, hair pieces of torn clothing).

g. If the crime occurred outdoors, take soil samples.

h. Attempt to look for footprints or tire tracks.

i. If the crime occurred in a car, seize the vehicle either through a search warrant or consent search and gather sweepings from seats and floors, search floor mats and seat covers for stains.

j. If entry to the victim's residence was forced, gather samples of broken glass, paint samples, and note any pry marks or other signs of forced entry.

k. Photograph the crime scene and physical evidence before collecting it, as well as bite marks, scratch marks, skin under fingernails, or other signs of injury to victim.

l. Only same-gender officers or licensed, professional medical personnel should photograph private sexual areas.

m. Proof of physical resistance by the victim is not required by Virginia Code.

2. At the Hospital:

a. Note signs of trauma, injury, and emotional state of the victim.

b. A Physical Evidence Recovery Kit exam can be administered to either a victim or a perpetrator for purposes of gathering evidence. Its purposes are:

(1) assess the health threats and needs of the victim,

(2) identify and gather evidence for a sexual assault investigation and prosecution,

(3) identify or exonerate a suspect.

c. The PERK exam, in the case of an alleged sexual assault victim, is paid for by the Criminal Injuries

Compensation Fund, and is the property of the State and not the victim.

d. When notified by the hospital that they have a PERK exam from an alleged sexual assault victim, the officer ensure that the offense occurred in the City of Emporia, and will respond to begin an investigation and take custody of the evidence. However, if the victim chooses not to cooperate with law-enforcement, the hospital will notify the agency that evidence is being held by their staff.

e. If the offense did not occur in the City of Emporia, the officer will advise the hospital that they need to make contact with the agency where the offense occurred for them to respond to retrieve the PERK exam.

f. Review the exam with the examining licensed medical practitioners to ensure that smears are taken from vagina, anus, and mouth of victim, as dictated by the facts of the case.

g. It is **not** necessary for maintaining the chain of evidence, or appropriate for an officer to be present at the time of the PERK exam, the victim needs privacy during this exam. The responding officer should proceed to the hospital and obtain as much information as possible, including the names of the victim, medical professionals involved in the treatment or examination of the victim, and the person to whom the victim reported the alleged sexual assault.

h. Obtain specific statements made by the victim that may be helpful should a decision be made by the agency to proceed with an investigation.

i. Rules of evidence and chain of custody will be adhered to.

j. A decision to proceed with an investigation will be made by competent authority following case management procedures. The victim's cooperation in an investigation will be given consideration. If the agency decides to proceed with an investigation, contact with the Commonwealth's Attorney Office may be helpful in determining how to

obtain additional information from the medical facility due to the potential conflicts with HIPAA law.

k. The officer picking up the PERK exam should leave a business card, with a request that it be given to the victim to determine if the victim would like to talk to the officer or to facilitate later contact about the case.

l. The officer/detective should notify Family Violence and Sexual Assault Unit staff so they can follow-up with the hospital contacting the victim. Such contact might well lead to a victim's decision to pursue an investigation.

m. Agency personnel processing such evidence must assure that the agency case number, victim's name, and incident report are cross-referenced to the unique number of the PERK kit so the evidence can be linked to the particular victim.

n. The Support Division Commander will be notified by the responding officer that the evidence is now in agency custody who will assign a detective who will conduct a follow up investigation.

3. Evidence Preservation and Storage:

a. Once an Officer/Detective receives a PERK Exam or any other evidence that is recovered from the SANE exam, that officer/detective will document who they received the evidence from and take it into their custody.

b. Once back at the Police Department the officer/detective will complete ensure that all of the evidence is properly labeled and packaged in accordance with the Virginia Department of Forensic Science packaging and labeling requirements.

c. The officer/detective will properly fill out an evidence form for each piece of evidence.

d. Any DNA evidence that is perishable will be stored in the department refrigerator. If the Department Property and Evidence Custodian or Back-Up are not on-duty, then they will be called in to secure the DNA evidence in the property and evidence room.

e. If there is a suspect, the Detective will attempt to receive consent from the suspect to obtain a DNA sample through the use of a buccal swab. If consent is not obtained then the Detective will complete an affidavit and attempt to secure a search warrant for the suspect from the Magistrate.

f. Once a buccal swab is obtained from the suspect, the detective will package the buccal swab in a cardboard swab box.

g. The officer/detective will complete an evidence card for the buccal swab and place it in evidence.

h. The officer/detective shall complete a request for laboratory examination on all of the evidence that needs to be examined at the Central Virginia Forensic Laboratory.

i. The Property and Evidence Custodian will transport all of the evidence to and from the Central Virginia Forensic Lab.

j. Once an officer/detective receives the certificate of analysis from the Central Virginia Forensic Laboratory, they will file the original certificate with the court of jurisdiction, and place the copy of the certificate in the case file.

23.1.6 IDENTITY CRIME INVESTIGATION

A. Purpose - The purpose of this policy is to provide officers of the Emporia Police Department with procedures for completing identity crime reports, investigating identity crimes, and preparing cases for identity crime prosecution.

B. Policy - Identity crime is the fastest growing and most serious economic crime in the United States. Although identity crime presents unique challenges, law enforcement agencies have an ethical and professional obligation to assist identity crime victims and bring criminals to justice. The Emporia Police Department will take the following measures to respond to identity crime:

1. Record criminal complaints.

2. Provide victims with necessary information to help restore their pre-crime status.

3. Provide victims with copies of reports as required by federal law.

4. Work with other federal, state, and local law enforcement and reporting agencies as well as financial institutions to solve identity crime cases.

5. Seek opportunities to increase community awareness and prevention of identity crimes.

6. Provide identity crime training to officers.

C. Definitions –

1. *Identity Crime*: The fraudulent use of another person's identifying information—such as credit card, social security, or driver's license numbers—with the intent to facilitate other criminal activities or to obtain credit, goods, or services without the victim's consent. No financial loss is necessary.

2. *Identity Theft Report*: A police report that contains specific details of an identity crime is considered an identity theft report under section 605B of the Fair Credit Reporting Act (FCRA).

D. Procedures -

1. Completing an Identity Crime Report - Completing Identity Crime Report - An identity crime report entitles an identity crime victim to certain important protections that will help the victim eliminate fraudulent debt and restore their credit to pre-crime status. Identity crime reports should be completed by the responding officer, in person with the victim, and in the jurisdiction in which the victim is a resident. Recording all relevant information and data in such reports is essential to further investigation. Therefore, officers and/or supervisors should:

a. Obtain or verify identifying information of the victim including: date of birth, social security number, driver's license number, other photo identification, current and prior addresses, telephone numbers, and e-mail addresses.

b. Document the nature of the identity crime committed in the victim's name (i.e. when and how the crime was discovered, documents or

information used in the crime, the manner in which the victim's identifying information was obtained, the financial institutions or related companies involved, etc.)

c. Determine what types of personal identifying information may have been used (i.e. social security number, driver's license number, birth certificate, credit card numbers, etc.) and whether any of these have been lost, stolen, or potentially misappropriated.

d. Determine whether the victim authorized anyone to use his or her name or personal information.

e. Determine whether the victim has knowledge or belief that specific person(s) have used his or her identity to commit fraud or other crimes. If so, obtain information about the suspected person(s).

f. Determine whether the victim is willing to assist in the prosecution of the suspects identified in the crime.

g. Determine if the victim has filed a report of the crime with other law enforcement agencies and whether such agency provided the victim with a report number.

h. Determine if the victim has any additional documentation to support his or her claim or facilitate the investigation.

i. Provide the victim with agency case number to verify that an investigation is being conducted.

j. Forward the report through the chain of command to appropriate investigative officers and immediately to intelligence agencies (Fusion Centers, ICE, JTTF, etc.) and federal agencies, if it appears to have national security implications. To avoid investigating a fraudulent identity crime complaint, local law enforcement agencies should conduct due diligence in their completion of identity crime reports. Otherwise, unless and until it develops that the complaint is fraudulent; identity crime complaints should be aggressively and fully investigated.

2. Assisting the Victim after the Identity Crime Report is completed

   a. Officers taking identity crime reports should take steps reasonably possible to help victims return to their pre-crime status. This includes providing victims with the following suggestions where appropriate:

      (1) Briefly describe the process that occurs after an identity crime report is completed (for example, the identity crime report will be assigned to a detective, the detective will review the report and contact the victim with any follow-up questions or to conduct a detailed interview with the victim, the detective will begin to gather evidence, etc.)

      (2) The victim will be contacted by the detective investigating the case. The detective will serve as the point of contact for the victim.

      (3) The detective will advise the victim within 72 hours when a change of status occurs in the investigation.

      (4) Provide the victim with IACP/Bank of America Victim's Toolkit (*Get Back Your Good Name*).

      (5) Inform the victim of other available resources to help with recovery.

3. Investigating Identity Crime - Investigation of identity crime shall include, but not be limited to, the following actions where appropriate:

   a. Interview the Victim

      (1) Review the identity crime report and conduct any follow-up inquiry of the victim for clarification or expansion of information.

      (2) Ask the victim to obtain a free credit report at www.ftc.gov/freereports, identify any fraudulent accounts on his or her credit report, and contact creditors to close those fraudulent accounts.

(3) Ask the victim if he or she knows any addresses associated with any of the fraudulent accounts. This may help determine the jurisdiction where the suspect lives.

(4) Ask the victim to provide a list of the creditors/merchants where the suspect has opened accounts in the victim's name.

(5) Ask the victim if he or she has been a victim of theft (breaking & entering, larceny, auto theft, etc.) where their personal information may have been compromised or if the victim knows where his or her identity may have been compromised.

(6) Suggest that the victim keep a log of his or her contacts with creditors/collection agencies to include the times and dates of the contact and purpose of the call.

b. Contact the creditors/merchants/banks that have the fraudulent accounts:

(1) Determine how the accounts were opened. If the account was opened through the internet, is there an IP address available? If the account was opened over telephone, did the financial institution capture the telephone number which was used to open the account? If the account was opened in person, identify the witness who opened the account for the suspect or the witness who conducted the transaction.

(2) Request relevant information from the involved financial institutions (e.g. customer record, signature card, transaction history, application, any videos or photos, etc.)

(3) Obtain statements from witnesses regarding the transaction and the suspect.

c. Gather additional information:

(1) Contact other involved or potentially involved law enforcement agencies for collaboration to

avoid duplication. These include any state and/or local enforcement agency with which the victim has filed a crime report or where there is an indication that the identity crime took place.

(2) Contact the Federal Trade Commission (FTC) Consumer Sentinel law enforcement network and search the database for investigative leads.

(3) Search the FTC Clearinghouse for other reported complaints that may be related to the case and contact other agencies in the area to determine if there have been similar crimes reported and possibly connected.

d. Determine the extent of compromise to the victim's identity.

e. Determine motive.

f. Conduct trash pulls, surveillance, photo lineups, interviews, computer forensics.

g. Run a criminal history and background check on the suspect, once a suspect is identified.

h. Use available databases to locate additional information or to tie the suspect to the victim.

i. Obtain search warrants (financial and residential), telephone records, and handwriting samples from the suspect.

j. If an IP address was obtained and used in the investigation, get a court order for the subscriber information.

k. Utilize investigative tools available on the internet. For example,

(1) www.einformation.usss.gov
(2) www.ftc.gov
(3) www.idsafety.org
(4) www.gethuman.com
(5) www.rocic.com/links.htm
(6) www.search.org/programs/hightech/isp

(7) www.onguardonline.gov
(8) www.accurint.com
(9) www.atxp.com
(10) www.nationalnanpa.com/index.html
(11) www.blackbookonline.info/

E. Community Awareness and Prevention– Where reasonable and appropriate, officers shall provide the public with information on the nature and prevention of identity crime. The Emporia Police Department will develop and maintain a community awareness program through either a Detective or Community Policing Officer to fully educate the public on identity crime prevention and the steps to take if identity crime does occurs.

23.2 CRIMINAL INVESTIGATIONS ADMININSTRATION

23.2.1 CASE SCREENING/ASSIGNMENTS/SUSPENDING EFFORTS

A. Detectives and officers will be responsible for follow-up investigations to the case assigned to them. All criminal cases will be forwarded to the Case Management Review team and assigned to either a detective or a patrol officer. The Case Management Review team shall assign all follow-up investigations based on the individual detective's expertise, their case -load, and the previous experience of the Department.

B. All criminal cases will remain active and follow-up investigations will be pursued until all leads are exhausted. Case screening will apply to cases where all resources have been explored and further investigative efforts would be futile.

C. All incident reports are reviewed by supervisory personnel of the next highest rank to determine if additional follow-up effort should be implemented.

D. Officers are encouraged to investigate all crimes to the fullest extent possible. If advice or expertise is needed to assist in an investigation, officers shall notify their supervisors. Detectives are available to assist patrol officers whenever needed.

E. The criteria for suspending investigative efforts of a criminal case shall include at a minimum the following:

1. Seriousness of the crime.
2. Probability of closure.
3. Absence of further leads.
4. Victim Consideration
5. Non-availability of investigative resources.

23.2.2 CASE STATUS AND DESIGNATION/ FILE MAINTENANCE

A. Case Assignment - Cases assigned to detectives by the Case Management Review team will be recorded into the Case Management System. The Support Division Commander and Lieutenants will track cases assigned to their personnel to ensure quality control of each case. Criminal cases will be assigned a status of active, inactive, closed or unfounded.

1. Active – criminal cases actively being investigated.

2. Inactive - criminal cases were all available leads have

been exhausted, but the case has not been brought to a satisfactory conclusion. Investigative efforts may be resumed pending the discovery of additional leads. Inactive status also includes those instances where a warrant is on file but not served.

3. Closed - criminal cases where one of the following conditions have been satisfied:

   a. CLOSED EXCEPTION - For an investigation to be classified as closed exception the following criteria must be met:

      (1) The investigation has established the identity of the offender,

      (2) The location of the offender is known,

      (3) There is a reason outside law enforcement control that precludes arresting, charging, and prosecuting the offender.

      (4) The investigation has developed probable cause.

   b. CLOSED ARREST - A person has been charged with the crime and the legal document has been served.

4. Unfounded - criminal cases will be classified as unfounded if the incident did not occur or was not attempted or occurred in another jurisdiction and appropriate information has been forwarded to that jurisdiction.

B. Case Files - An investigative case file will be maintained on all cases in which investigative activities are ongoing. Case files contain original materials, which will be part of departmental records. Case files should contain:

1. A copy of preliminary investigative reports.

2. Record of statements.

3. Results of examinations of physical evidence.

4. Case status reports.

5. Other reports and records needed for investigative purposes.

a. Active investigative case files shall be maintained in case management files. When a case becomes inactive or closed, the investigative case file will be transferred to a case management folder and placed in the appropriate file drawer designating whether it a closed or inactive.

b. Each officer/detective shall keep active case files current and filed in their assigned case management file cabinet. When the officer/detective is off duty, another officer/detective or supervisory personnel shall be able to refer to the case file if required to do so.

c. The case files of the Department are maintained and purged in accordance with the *Virginia Public Records Act*.

23.2.3 INVESTIGATION CHECKLIST

A. The EPD Incident Report in most cases serves as a checklist for the officer. Also, available to assist the officer/detective, located in the case folder, is the investigative check-list to include but not be limited to the following forms:

1. Affidavit / Search Warrant
2. Anatomy Chart
3. Arrest Warrant
4. Certificate of Analysis
5. Consent to Search Body
6. Consent to Search Premises / Vehicle
7. Court Subpoenas
8. Crime Scene Diagram
9. Crime Scene Entry Log
10. Crime Scene Search Report
11. Criminal History
12. Death Scene
13. Destruction Order
14. Evidence Location Form
15. Financial Documents Verification
16. Firearms Information
17. Follow-up Investigative Reports
18. Initial Incident Report
19. Investigative Contact Form
20. Miranda Warnings Form
21. Missing Person Information
22. Photograph Log Form
23. Photographs of Investigation

24. Physical Evidence Recovery
25. Polygraph Results
26. Property / Evidence Tag
27. Request for Laboratory Examination
28. Request for Prosecution Form
29. Vehicle Inventory / Tow Form
30 Miranda Warning Form
31. Consent to Search Form
32. Written Statements from Suspect(s)
33. Written Statements from Victim(s)
34. Written Statements from Witness(is)

23.2.4 COLD CASE FILES

A. Cold Case is defined as: (1) Cases that are unsolved and are designated as serious in nature and involve crimes against persons, (2) Cases involving a series of crimes, and cases of unusual nature can also be designated as cold case. The Support Division Commander will review cases on an individual basis and, based on evidence and victim/witness information, determine if a case should be designated as a cold case.

B. Cases will be evaluated on an individual basis to determine the solvability factor and whether future leads or evidence will assist in solving the case. DNA evidence, fingerprints, witness information, suspect description, and all other evidence will be evaluated to determine if a case can and should be designated as cold case.

C. Cold case files will be retained in the Case Management File Drawer and will be evaluated as new information and/or leads arise. Follow-up investigations will be filed on a supplemental report and filed in the case folder. Any new leads or evidence in the case will be investigated. A full review of the case will be conducted by the Support Division Commander and forwarded to the Major and Chief of Police.

23.2.5 RANK TITLES

A. Sworn positions within the Criminal Investigations Section will be the same in rank and salary as they are in the Patrol Section.

23.2.6 ROLL CALL ATTENDANCE

A. Criminal detectives may attend daily roll call meetings when they are working evening shift. This periodic attendance of detectives will enhance working relationships between patrol officers and

detectives. Detectives will provide information to help supplement the efforts of the Patrol Section and vice versa.

23.2.7 ON-CALL SCHEDULING

A. The Support Division Commander or designee shall maintain an on-call schedule for providing investigative services when personnel are not scheduled to otherwise be on duty. The name of the detective shall be posted in the Communications Center. The on-call detective shall be on call from 0800 Monday through 0800 the following Monday.

B. The on-call detective will be responsible for responding to the crime scene within a reasonable time of notification from the Communications Center.

C. The patrol supervisor will be the only authority authorized to call in the on-call detective, according to crimes listed in General Order, 23.1.2 (D) or when other circumstances require it.

23.2.8 POLYGRAPH EXAMINATIONS

A. Polygraph examinations may be utilized during the investigation of any criminal case, ***but*** it should *not* be mentioned *during the initial stage of the investigation*. When inconsistencies or conflict appear, all alternative methods of checking leads must be exhausted prior to using the polygraph.

B. If a polygraph examination must be utilized to clarify inconsistencies, the investigating officer must request an appointment through the Bureau of Criminal Investigations of the Virginia State Police, or other neighboring jurisdictions that have a licensed polygraph examiner

C. Polygraph examinations should not be selected for victims or suspects immediately following the offense or the interrogation. Accurate results cannot be obtained if the subject is distraught or emotionally exhausted. The decision of the examiner as to the suitability of the subject will be final

D. Investigating officers shall contact the subject to be tested one day prior to the examination to confirm the appointment. The Polygraph Examiner will be notified immediately of any cancellation. The officer/detective who has scheduled the polygraph will be present during the administration of the polygraph examination.

E. Polygraph examinations conducted on behalf of the Department shall be administered by a Virginia Department of Commerce licensed polygraphist, trained through a state approved school. Prior to the administration of the polygraph examination the examiner administering the test will produce their credentials to the individual who will be taking the examination.

23.2.9 TASK FORCES

A. Whenever an officer is involved in a joint agency task force the following procedures will apply:

1. The initiating agency will be responsible for establishing the purposes and goals of the task force.

2. Jurisdictional limitations shall be clearly defined and understood.

3. EPD Officers, though supervised by the supervisory staff of the task force, will keep their Emporia supervisor informed of their activities and are still bound by the regulations and general orders of the EPD.

4. The EPD will offer personnel, equipment, money and time to enhance joint agency task force as long as the delivery of services to the citizens of Emporia is not affected.

5. Officers/Detectives assigned to any task force shall utilize the appropriate case and event de-confliction resources to ensure officer safety.

6. The officer/detective assigned to the appropriate task force will receive credentials from the sponsoring agency, to include an identification card and possibly a badge of authority. Personnel working in a task force will be need to identify themselves unless the revelation is detrimental to the safety of the officer/detective or law enforcement personnel. It may be necessary that the officer/detective receives an undercover identification card to ensure anonymity during undercover investigations.

B. A time scheduled shall be established at the inception of any task force for the purpose of evaluating the effectiveness of the resources dedicated. A decision to continue the effort will be reached at the time of evaluation.

23.2.10 USE OF INFORMANTS

A. The use of confidential informants (CI) is a lawful and valuable resource which can provide significant benefits to criminal investigations and other intelligence-gathering efforts. Informants are not for the exclusive use of any one police officer or detective and shall be registered as informants of the Emporia Police Department. Due to the inherent risk and liability associated with the use of confidential informants, clear guidelines must be implemented and adhered to, in order to ensure the safety of all persons involved.

B. Confidential informants are individuals under the direction of a specific police officer who provide information or other assistance on criminal activity. Confidential informants are actively involved in investigations and may receive compensation. Additionally, sources of information are individuals who furnish information, but do not wish to take part in an active investigation.

C. Confidential informants as used in this section refers to non-law enforcement persons who, by reason of their familiarity or close association with criminals, regularly supply information about criminal activities to a police officer.

D. The Support Division Commander will maintain a master list and files of criminal informants. To ensure the safety and identity of criminal informants those files will be securely maintained in the Support Division Commander's office.

1. Criminal Informant files are subject to inspection by the Major, and the Chief of Police. These files are not required to be made available to other personnel.

2. The Confidential informant's master file will contain at a minimum:

a. The Criminal Informant Master File Checklist

b. The Cooperation Report, which includes biographical and background information, to include fingerprints and photographs of the confidential informant.

c. The Conduct of Confidential Informant form which give clear guidelines for confidential informant behavior.

d. Criminal history record, if any.

e. Information received from the informant and the veracity of the information will be documented on a Reliability of Informant form.

f. Informant's involvement in any police operation.

g. Funds disbursement report documenting payments made to the informant.

h. The code name and number of each informant issued by the Police Department

i. The detective/officer will include any incident reports that the confidential informant provided information that led to an arrest.

E. Confidential Informant File Maintenance

1. Confidential Informant Files are securely maintained in the officer of the Support Division Commander and are classified in one of the five different categories:

a. Active- Any CI currently engaged in providing information and/or under the direction of a police officer.

b. Inactive- Any CI not debriefed within a year, or who has been declared inactive by the control detective or officer.

c. Limited Use- Any CI used for information only, but not allowed to take an active role in an investigation.

d. Deactivated- Any CI deemed currently not suitable for use by the control detective/officer or their supervisor.

(1) Must be approved through the control detective/officer's chain of command to the Support Division Commander.

(2) May be re-activated at the direction of the Support Division Commander.

e. Suspended- Any CI that has violated terms and rules set forth by the Police Department, such as, but not limited to:

(1) Misuse of funds provided for criminal

investigation purposes;

(2) Intentionally engaged in behaviors that jeopardize officer safety;

(3) Perpetuated or attempted to perpetuate fraud during the course of the investigation;

(4) Engaged in any behavior which leads the control detective/officer or any supervisor to determine that suspension is warranted.

F. The Support Division Commander will control access to the funds utilized to pay informants. All expenditures will be forwarded through the chain of command on a monthly basis. See General Order 8.4.2, Cash Management and General Order 24.1.4 Confidential Informant Fund.

G. Precautions to be taken with all Informants

1. Contacts with informants will be made by two officers when possible and practical. All contacts will be documented in the informant file.

2. An informant of the opposite sex of the officer shall only be contacted with a second officer covering or in attendance.

3. An officer shall not tolerate any illegal or improper conduct by an informant.

4. Any information revealed from an informant relating to violations of law which would be of interest to another officer or agency will be disseminated as soon as practical.

H. Precautions to be taken with Juvenile Informants

1. Written authorization must be received from a parent or guardian prior to the use of a juvenile informant.

2. The parent or guardian shall be kept fully informed as to the use of the may lead to physical or emotional harm.

3. All Juvenile informant files that are in the master list shall be identified to indicate that the informant is a juvenile.

I. Safety of Informants

1. Detectives and Officers who are utilizing informants in the course of their duties will take measures to ensure the safety of those individuals that are acting as informants.

2. When utilizing an informant, it is imperative that a group of detectives and officers are working to cover the informant during the operation.

3. While utilizing an informant, detectives and officers will attempt to keep the informant under visual contact.

4. In addition, the detective and officer will utilize audio and/or video surveillance to enhance evidence and ensure the informant's safety.

5. The Detective/Officer may have the informant text message them if they are out of range or unable to verbally communicate with the detective/officer.

6. The Detective/Officer will ensure that the informant is given a code/signal to alert the detective/officer that the informant is in some type of danger.

J. Use of Informants by Patrol Officers

1. The cultivation and use of informants by patrol officers is an important aspect of the job. Valuable information concerning criminal activity and community response can enhance the mission of the EPD through regular contact with informants.

2. If the patrol officer develops a confidential informant that would necessitate payments or anonymity, then the informant would be managed according to guidelines described above.

23.2.11 USE OF INTERVIEW ROOM

A. As part of their official duties, members of the Department are required to conduct interviews and interrogations to bring investigations to a successful conclusion.

B. The purpose of this procedure is to address the protection of Department personnel and the safety of the individual being interviewed/interrogated while in the Department's interview room.

C. When officers are utilizing the interview room the following procedures should be addressed:

1. Constant monitoring of the individual being interviewed/interrogated when in the interview room. The officer should not leave the individual being interviewed/interrogated alone while conducting the interview/interrogation. If the officer/detective leaves an individual alone in the interview room, then they will be responsible for having another officer watch the interview room.

2. Officers conducting the interview will advise other officers in proximity of the interview room that an interview/interrogation will be conducted. Officers in proximity of the interview room shall be available to intervene on behalf of all parties if needed.

3. Officers will notify the Communications Center of them location prior to commencing an interview/ interrogation.

4. It is mandatory that when an Officer/Detective is interviewing/interrogating a victim/witness/suspect or arrestee they will use one of the two interview rooms.

5. The two interview rooms in the Police Department are equipped with audio/video recording equipment.

6. Officers/Detectives are required to record the interview or interrogation with the victim/ witness/suspect or arrestee.

7. The red light outside of each interview room indicates that an interview is being conducted.

8. A search of the arrestee/prisoner will be conducted as stated in General Order 34.1.1, *Prisoner Search*

9. A search of the interview room will be conducted prior to each interview/interrogation.

10. When officers are using the interview room, they can either:

    a. secure their weapon in the locked storage compartment; or

    b. if deciding to remain armed while in the interview

room, they will keep their body between their weapon and the arrestee/prisoner.

11. Only officers having direct involvement in the case investigation will have access to the interview room with a limitation of a maximum of two (2) officers at any given time.

12. The officer in charge of the interview/interrogation will determine when the individual being interviewed /interrogated will receive water, restroom and/or comfort breaks.

13. During interviews and interrogations, the room will be furnished exclusively with a table and chairs. Other necessary supplies will be brought in by the officer conducting the interview/interrogation.

14. Upon conclusion of the interview or interrogation, the Officer/Detective will save the interview and place the recorded interview in the investigative case folder.

15. Officers/Detectives will not interview/interrogate a victim/witness/suspect or arrestee in a private office, but will conduct the interview/interrogation in one of the two department interview rooms.

16. To summon assistance, officers will use their emergency button on their portable radio.

23.2.12 PHOTOGRAPHIC AND PHYSICAL LINE UPS FOR EYEWITNESS IDENTIFICATION

A. Policy- Eyewitness identification has always been a valuable tool for investigating and prosecuting criminal cases. Eyewitness evidence can be a convincing piece of evidence in a criminal investigation. Eyewitnesses can make identification errors, but those errors may be difficult to detect, because the witnesses are sincere and have no motive to lie. When wrong, they usually are not being deceitful, but mistaken. To reduce the risk of wrongful convictions and aid in the detection and apprehension of the guilty, officers should adhere to procedures set forth in this general order to maximize the reliability of identifications, minimize unjust accusations of innocent persons and to establish evidence that is reliable and conforms to established legal procedure.

B. Purpose – To establish a policy for the preparation and presentation of photographic, in person lineups and show ups.

C. Definitions:

1. Lineup - A lineup is any procedure in which a witness to a crime or other incident is asked to identify one or more suspects from among a group of persons in order to confirm the identity of the suspect(s). Such procedures involve either actually viewing of persons or viewing of photographs.

2. Photo Lineup - A photo lineup is any lineup procedure in which photographs are used instead of live persons. These procedures are often used when a suspect has not been identified or when such person has not been located or arrested.

3. Sequential Lineup - A sequential lineup is a particular method of conducting a suspect lineup in which persons or photographs are presented to the witness one at a time, rather than in any sort of grouping.

4. Show Up - The presentation of one suspect to an eyewitness within a short time following the commission of a crime.

D. Procedures

1. Composing the Lineup:

a. The detective in charge should select an individual who does not know which member of the lineup is the “true” suspect to conduct any lineups in order to avoid inadvertent signs or body language that may lead or cause a witness to make an incorrect identification. The officer/detective selected should be thoroughly familiar with this procedure.

b. Assure that law enforcement and/or prosecutorial personnel present and involved in the case are knowledgeable about the procedure so that they will not interfere or influence any witness during the process. Unnecessary personnel should be removed from the location where the process is being conducted.

c. Ensure that the lineup is comprised in such a manner that the suspect does not unduly stand out. However, complete uniformity of features is not required.

d. Avoid mixing color and black and white photos. Photos should be either all black and white or all color.

e. Cover any portions of mug shots or other photographs that provide identifying information. Ensure that no writings or information concerning previous arrest(s) will be visible to the witness. If it is necessary to block-out or cover a notation, such as a name on one photo, then similar blocking-out or covering marks should be placed on all photos so that they will appear alike.

f. Use photos of the same size and basic composition, and never mix mug shots with other snapshots or include more than one photo of the same suspect.

g. Include only one suspect in each identification procedure.

h. Select fillers (non suspects) who generally fit the witnesses' description of the offender. When there is a limited or inadequate description of the offender provided by the witness, or when the description of the offender differs significantly from the appearance of the suspect, fillers should resemble the suspect in significant features.

i. Select a photo that resembles the suspect's description or appearance at the time of the incident, if multiple photos of the suspect are reasonably available to the detective.

j. Ensure that the photos are reasonably contemporary.

k. Include a minimum of seven fillers (non-suspects) per identification procedure.

l. Create a consistent appearance between the suspect and fillers so that the photos depict individuals who are reasonably similar in age, height, weight and general appearance, and are of the same

sex and race. However, avoid using fillers who so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers.

m. Create a consistent appearance between the suspect and the fillers with respect to any unique or unusual feature – such as a scar or tattoo - used to describe the perpetrator by artificially adding or concealing that feature.

n. Place the suspect in different positions in each lineup when conducting more than one lineup for a case with multiple witnesses or suspects.

o. Avoid reusing fillers in lineups shown to the same witness when showing new suspect.

p. Review the array, once completed, to ensure that the suspect does not unduly stand out.

q. The Records Management System will assign each photo/person a lineup identification number. Record the identification number on the back of each photo. Refer to that photo/person only by that number. The nature of the identification number should be purposely complex to the witness, so that any inadvertent glance should not significantly hinder the identification process or alert the witness as to the identity of the actual suspect.

r. Ensure that no more than one witness views each lineup at a time and that they are not permitted to speak with one another during line up proceedings.

2. Conducting the Identification Procedure**:**

a. When presenting the lineup, the person administering the lineup should use approved standard instructions for witnesses prior to the lineup that the offender might or might not be among those in the photo array or live lineup, and therefore, the witness should not feel compelled to make identification.

b. Assure the witness prior to the lineup that regardless of whether identification is made; the police will continue to investigate the incident.

c. Instruct the witness that if the offender is seen in the lineup, he/she might not appear exactly the same as on the date of the incident because features such as clothing, head or facial hair can change. Additionally, photos do not always depict the true complexion of a person, which might be lighter or darker than shown in the photo. Be careful not to imply or lead the witness to believe that the suspect's appearance has actually changed in any way.

d. Provide the following additional viewing instructions to the witness:

(1) For live and photographic lineups the officer/ detective will ensure that the lineup is either audio and/or videotaped to properly document this step in the investigation.

(2) Individual photos/persons will be viewed one at a time.

(3) Photos/persons are in random order.

(4) Take as much time as needed in making a decision about each photo/person.

e. All photos will be shown, even if identification is made prior to viewing all photos.

f. Confirm that the witness understands the nature of the sequential procedure.

g. If identification is made, avoid reporting or confirming to the witness any information regarding the individual he or she has selected, until the entire process (including all required signatures and paperwork) has been completed.

h. The officer/detective will inquire to the witness or victim about their level of confidence about the identification by using a scale from 0-100 %

I. If the witness requests to view the photo/person sequence again, (or specific photos/persons again), they may be shown a second time, but must be shown again in the same sequence in its entirety

even if the witness makes an identification during this second showing.

j. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

3. Recording Identification Results - Document in writing the photo lineup procedures, including identification information and sources of all photos used, names of all persons present at the lineup, and date and time of the identification procedure.

23.2.13 UTILIZATION OF SHOW-UPS FOR EYEWITNESS IDENTIFICATION

A. Some courts have suppressed identification evidence based on the use of show-ups due to inherent suggestiveness of the practice. Therefore, the use of show-ups should be secondary in preference to the use of photo arrays or lineups when possible. However, when exigent circumstances require the use of a show-up, the following guidelines should be considered:

1. Document the eyewitness's description carefully prior to the show-up.

2. Whenever practical, transport the eyewitness to the location of the suspect. Show-ups should not be conducted at the Police Department.

3. Specifically instruct eyewitnesses that the real perpetrator may or may not be present.

4. Show ups should not be conducted with more than one witness present at a time. If identification is conducted separately for more than one witness, witnesses should not be permitted to communicate before or after any procedures regarding the identification of the suspect.

5. The same suspect should not be presented to the same witness more than once.

6. Show-up suspects should not be required to put on clothing worn by the perpetrator.

7. Suspects may be asked to speak words uttered by the suspect or to perform other actions of the suspect.

8. Words or conduct of any type by officers that may suggest to the witness that the individual is or may be the suspect shall be avoided.

9. Assess eyewitness confidence immediately following identification. The officer/detective should determine the witness or victims level of certainty by using a scale of 0-100%.

10. The officer/detective that conducts show-up identification will document their findings in a supplement report that will be made part of the case file.

23.2.14 CRIMINAL INTELLIGENCE FUNCTION

A. A Criminal Investigations Supervisor is responsible for the intelligence function. Essential activities include but are not limited to the following:

1. Serving as the central point for the receipt of raw data from police reports, field interview files, informant files and other sources.

2. Maintaining a secure records system in which evaluated data is properly cross- referenced to reflect relationships and to ensure complete and rapid retrieval.

3. Conducting analysis that allows for developing intelligence from both the records system and other data sources.

4. Disseminating the information compiled to the appropriate divisions or squads.

B. Intelligence is also gathered by officers during follow-up investigations with citizens or organizations. All agency employees have a responsibility to collect, process and forward intelligence information to Criminal Investigations Supervisor.

C. Criminal intelligence can be gathered by a Criminal Investigations Supervisor through various associations and contacts.

1. Intelligence Gathering from various sources:

a. Associations – Information obtained from various associations with other crime analysts and associated agencies, Regional Crime Monthly

Meeting, Virginia State Police Fusion Center, VCAN (Virginia Crime Analyst Network, IACA (International Association of Crime Analysts).

b. Databases – Information obtained from various proven instruments including the LInX system.

2. Intelligence Dissemination:

a. Information obtained from verified sources can be disseminated on a need to know basis (law enforcement sensitive) and included in a daily crime bulletin distributed via email.

b. Information will be disseminated to appropriate Department personnel /outside law enforcement agencies.

3. Intelligence Files shall be the responsibility of a Criminal Investigations Sergeant. These files will be kept separate from other agency records and secured in a locked file cabinet in the office of the Special Investigations Lieutenant. The files are subject to inspection by the Support Division Commander, Major, and the Chief of Police. Files will be classified as Open, or Closed.

a. Open Intelligence Files – Files that are still being investigated or the information is relevant and current. These will be kept in the secure file in the Investigations Section.

b. Closed Intelligence Files – Files that need no further investigation or no longer are being investigated because all leads have been exhausted, but may be reopened upon the discovery of new information. A closed file may be stored in the Investigation Sections file for up to 12 months and then destroyed.

4. Access to intelligence records shall be limited to the Chief of Police, Major, and the Support Division Commander.

D. The Criminal Investigations Section shall avoid indiscriminate collection and distribution of information pertaining to intelligence. All intelligence information shall:

1. Ensure the anonymity of all informants in with General Order, 23.2.9, *Use of Informants.*

2. Ensure that information collected is limited to criminal conduct and activities that present a threat to the community. These include but are not limited to the following activities: organized crime, terrorist, subversive, vice, narcotics and white-collar crime.

3. Ensure that the use of personnel and equipment is restricted to the collection of raw data, strategic intelligence or tactical intelligence.

   a. Raw Data - Information from various sources that alone may not support allegations of criminal activity, but may when combined with other information support an inference of such activity.

   b. Strategic Intelligence - Investigation of a known problem may result in the collection of strategic intelligence.

   c. Tactical Intelligence - Obtaining of information to support police operations that are focused on a specific person or location.

4. Ensure that all collected information is included in the intelligence report and the information is of an appropriate quality pertaining to intelligence.

23.2.15 SAFEGUARDS AND DISTRIBUTION OF CRIMINAL INTELLIGENCE

A. A Criminal Investigations Section supervisor shall store all intelligence files in the locked file cabinet. The file cabinet shall remain locked at all times unless the Support Division Commander, Major, or Chief of Police is present.

B. A Criminal Investigations Supervisor is responsible for the decision to disseminate information from these files. That decision shall be made after the following questions are considered:

   1. Is the information needed in an active criminal investigation?

   2. Has it been determined that the information can be released on “need-to-know” basis?

   3. Has the Criminal Investigations Supervisor reviewed all material prior to release?

4. Has the Support Division Commander approved the release of all the information?

C. The Criminal Investigations Supervisor will maintain liaison with federal, state and local criminal justice agencies for the purpose of facilitating exchanges of information between the EPD and those agencies affected. Contacts with individual members of other agencies are established at the regional meetings attended by the Support Division Commander. (See General Order; 24.1.7 (E), *Surveillance/Undercover /Decoy/Raid Operations/Coordination of Information).*

D. Classification, Verification and Dissemination of Gang Intelligence

1. The predominant type of gang activity in a neighborhood may change from year to year or month to month, and the level of gang motivated criminal activity tends to occur inconsistently. Effective intervention strategies must be built on continuously updated information. A Criminal Investigation Supervisor shall be responsible for dealing with gang activity.

2. A Criminal Investigations Supervisor will be charged with the following tasks and functions:

a. Collecting and maintaining information on known gang members, suspected gang members, associate gang members and on any suspected criminal activity they are involved in.

b. Disseminating information on a timely basis to members of the Department as appropriate.

c. Establishing and maintaining liaison with federal, state and local law enforcement gang units as well as committees, groups and associations representing the law enforcement gang intelligence community.

d. Providing specialized investigative support to police operations when requested.

e. Critiquing departmental investigative reports to distinguish trends and/or patterns in gang related criminal activity.

f. Conducting periodic meetings with Department personnel to allocate information regarding gang

related criminal activity and trends.

g. Reading and reviewing information relating to gang activity.

h. Maintaining a gang membership book that contains information applicable to the Department.

i. Assisting with the investigation of criminal acts committed by gang members when requested.

j. Assisting officers, investigators, with the identification and verification of gang members.

k. Providing training on identifying and verifying gang members and/or gang graffiti.

l. Providing educational seminars for civic groups, schools and business.

3. The officer assigned to gang activity could be called to the scene of a serious violation by a supervisor if:

a. There is a reason to believe the violation is gang related and the information provided could possibly assist with an immediate apprehension of a suspect.

b. The urgency of the situation mandates immediate access to the officer assigned to gang control for investigative direction, or to assist with the collection of any relevant physical evidence that could possibly be overlooked by someone unfamiliar with the method of operation of the assorted gangs.

4. Gang Intelligence Files - Gang intelligence files will be maintained by the officer assigned to coordinate gang activity. These files are confidential in nature, are not for public dissemination, and are exempt from any FOIA (Freedom of Information Act) request. They are available to law enforcement personnel upon request.

5. Classification/Definitions - A gang is defined as a group of people who form an allegiance for a common purpose who engage in criminal activity and follow one or more of the listed criteria:

a. Have a common name

b. Structured dress style

c. Common Symbol

d. Frequently congregate and claim geographic location.

e. Associate on a regular or continuous basis.

6. Gang Categories - It is necessary to categorize gangs for intelligence purposes by their affiliations, locations, or preferred criminal activity. It is imperative to monitor the activity of certain delinquent groups.

   a. Traditional: Gang is nationally recognized and usually well established and organized.

   b. Neighborhood Gang: Gang is less formal in organizational structure and has no national affiliations.

   c. Asset-Oriented Gang: Gang is a loosely structured group of people who repeatedly engage in criminal activity mainly for economic gain. There may be no name or symbols associated with this type of gang, and membership may be based on cultural or ethnic tradition.

   d. Delinquent Groups: A group of people gathering for social purposes. This group may have a name and may claim turf but its main function is that of a social group. Individuals of this group may occasionally be involved in criminal activity, independently from the group, but their criminal acts are not involved in promoting any type of group or gang. A delinquent group will be reclassified as a gang when a criminal act is committed to enhance the image of this group within the gang subculture.

7. Gang Membership - Involves very different levels of commitment and participation. Such commitment must be delineated to establish a level of membership of each identified participant. A person will be identified as a gang member based on meeting any two of the following criteria. A person will be identified as a suspected gang member when any one of the following criteria is met:

a. When an individual admits membership to a group which meets the Department's criteria of a gang.

b. When a reliable informant identifies an individual as a gang member.

c. When an informant of previously untested reliability identifies an individual as a gang member and this is verified by independent information.

d. When and individual resides in or frequents a particular gang's area and inspires their trait of dress, use of hand signs, symbols or tattoos, and/or affiliates with known gang members.

e. When an individual has been arrested several times in the presence of identified gang members for offenses, which are consistent with usual gang activity.

NOTE: When there are strong indications that an individual has a close relationship with a gang, but does not fit the above criteria, they shall be identified as a gang associate.

8. The objective of classifying gang related crimes is to show the frequency of gang related criminal activity and how the criminality impacts the community. Any of the following criteria shall determine if a criminal incident is gang related:

a. When an incident involved participants, suspects, or victims who are identified as gang members as described in section c., above and the activity contributes or favors a gang in some way.

b. When a reliable informant identifies an incident as gang activity.

c. When an informant of previous untested reliability identifies an incident as gang related, and it is corroborated by other independent information.

9. When a criminal incident meets the above listed criteria, a second event Gang Activity shall be noted on the preliminary and supplemental reports. Officers completing reports on incidents that are not conformed gang activities, should classify the event normally and

transmit a copy of their report to the officer assigned to gang activity for verification and reclassification as gang activity.

E. Homeland Security and Terrorism Intelligence.

1. Sharing Information with Other Agencies

a. In a pro-active effort in the pre-emption of terrorist incidents, the Department maintains liaison with the FBI, the Joint Terrorism Task Force, and the Virginia State Police to exchange information relating to terrorism. This information can be relayed through teletype, information received at a regional Joint Terrorism Task Force location, and/or by e-mail received from the Virginia State Police's Virginia Fusion Center.

b. The Emporia Police Department receives terrorism intelligence briefings from the Virginia Fusion Center. These briefings contain the threat advisory level set by the United States Department of Homeland Security's Science and Technology Division for events involving chemical, biological, radiological, and nuclear weapons.

2. Procedures for Reporting and Sharing Information- This Department is committed to reporting and relaying terrorism intelligence/information to the FBI and Virginia State Police. When an officer of our Department receives information or intelligence regarding a terrorist threat, that officer will:

a. Complete an incident report documenting all information/facts received.

b. If the information is of a high risk nature, the on-duty supervisor will contact the Communications Center, who will contact the Virginia State Police Terrorism Tip Hotline, housed at the Virginia Fusion Center.

c. If the information is of a low risk nature, then the information will be passed to the Department's member of the Joint Terrorism Task Force to be disseminated at their next scheduled meeting.

F. Annual Review – The Support Division Commander will be responsible for conducting an annual review of the procedures and processes associated with the intelligence function. This will be documented by a written memorandum to the Chief of Police. Elements of the report should address training issues, collection, evaluation, and dissemination of information items, security measures/issues, and any other recommendations.

G. Training:

1. The Department will ensure that the Criminal Investigations Supervisor receives training in the collection, processing, evaluation and dissemination of intelligence information.

2. Members of the Police Department shall receive periodic training in the various elements comprising the intelligence function, either through Power DMS or during roll call training conducted by a Criminal Investigations supervisor, who will assist personnel in the intelligence function.

3. All training received by Department personnel will be documented on a Department training log form.

23.2.16 CRIME ANALYSIS FUNCTION

A. The Department utilizes the Records Technician to complete the crime analysis function and is responsible for collecting, analyzing, and disseminating data relating to crime. The data is primarily obtained from records generated within the Department's computerized reporting system. Information disseminated through Crime Analysis provides a means for utilizing regularly collected information on reported crime and criminals to prevent and suppress crime and to apprehend criminal offenders.

B. The Department's Crime Analyst collects and prepares information for periodic Crime Stats meetings, shift briefings or as requested to address crime trends. Supervisory personnel may use data provided for predictive purposes, strategic planning and agency resource allocation. Line units are provided with information which benefits them in the development of daily operational and tactical plans.

C. The information and tools for crime analysis are available to all police officers to conduct crime analyses. The Crime Analyst, Section supervisors, and Division Commanders are responsible for reporting identified patterns or trends in crime through the chain of

command to the Chief of Police. The dissemination of analyzed information on a regular basis to individual officers and investigators improves the effectiveness with which the individuals perform their job tasks.

D. The collection, analysis, and distribution of crime data received by the Department aids operational personnel in meeting their tactical crime control and prevention objectives by:

1. Identifying and analyzing methods of operation of individual criminals;

2. Providing crime pattern recognition, including temporal, and geographic distribution of selected crime;

3. Providing analysis of data;

4. Identifying potential and actual police hazards within the agency's service area;

5. Improving effectiveness for completing job tasks;

6. To assist in grants and long-term research studies.

E. Information developed through the crime analysis process can be used in its long-range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

F. Source Documents- The source documents from which crime data will be analyzed should include:

1. Incident Reports
2. Supplemental Investigative Reports
3. Arrest Reports
4. Monthly Statistical Reports
5. Intelligence sources from other agencies
6. Field Contact Forms
7. LEAD's On-Line
8. Daily review of Communications Call Log
9. Other related informative sources
10. Problem oriented and/or Community Policing strategies

G. Distribution of Crime Analysis Information

1. Anytime a crime problem or trend is identified, corresponding information should be gathered and distributed by the Crime Analyst or department employee

that has identified a crime problem or trend. The originating officer or employee should provide statistical information and map data documenting crimes by geographic location, crime type, times, days of week, and modus operandi factors if available.

2. Analyzed crime information will be disseminated to appropriate individuals within the Emporia Police Department on a regular basis, which may include daily, monthly, quarterly, and annual reporting. Specific timely information will be disseminated as available, as needed, or upon request. Types of information disseminated will include:

    a. Wanted and Missing Persons bulletins

    b. Weekly crime statistical reports

    c. Crime-specific data

    d. Crime Trends

    e. Call for service data

    f. Electronic dissemination of information obtained from Communications Call Log

3. Information developed through crime analysis may be released to sources outside the Emporia Police Department with a legitimate need to know or right to know. Routine collaboration with other agencies exists to assist in reducing crime and improving citizen safety. However, unusual or extensive requests may only be released to sources outside the Emporia Police Department after review and approval by the Chief of Police or his designee.

4. On a monthly basis, the Records Technician will submit the monthly crime analysis to the Chief of Police and copy the command staff.

5. The monthly crime analysis will be disseminated and further discussed at the Department's monthly staff meeting to determine the allocation of resources. The monthly crime analysis will be disseminated out to patrol officers and detectives at roll calls.

H. Effectiveness and Utilization of Crime Analysis

1. For the crime analysis function to be effective, several elements should be present. One of these elements is feedback on the analyzed information from the units receiving and using same. Feedback analysis and program evaluation will be accomplished by:

   a. Monitoring changes in crime trends which are impacted upon by tactical operations and strategic planning

   b. Comparison of projected crimes against reported crimes

23.1.22 ANALYSIS OF CRIMINAL PATTERNS AND PROBLEMS

A. The Crime Analyst is responsible for the Department's Crime Analysis. Crime Analysis should identify similarities and patterns of crimes, screen and categorize suspects and aid in assembling and categorizing specific crimes that may involve an offender.

B. The evaluation of accurate crime data is accomplished through the utilization of the following factors, which include:

1. Frequency by Type of Crime

   a. Felonies
   b. Misdemeanors
   c. Infractions
   d. All other complaints

2. Geographic Factors

   a. Map References
   b. Patrol Zones

3. Temporal Factors

   a. Date
   b. Time
   c. Day of week
   d. Span

4. Victim and Target Descriptors

   a. Victim demographics
   b. Target demographics

5. Suspect Description and Demographics

    a. Sex
    b. Height
    c. Weight
    d. Eye color
    e. Hair color
    f. Age
    g. Race
    h. Scars/Marks/Tattoos

6. Suspect vehicle Descriptors

    a. License number
    b. Vehicle, make, model, year
    c. Unique characteristics

7. Modus Operandi Factors

    a. Point/Method of entry
    b. Location ransacked
    c. Malicious destruction
    d. Removal of evidence
    e. Use of tools
    f. Items stolen

8. Physical Evidence Information

    a. Unique tools or instruments
    b. Latent fingerprints suitable for comparison purposes
    c. Crime scene trace evidence (blood, hair, semen)

9. Problem Oriented or Community Policing Strategies

    a. Target areas
    b. Crime Prevention efforts

24.1 DRUGS/VICE AND ORGANIZED CRIME

24.1.1 DRUGS/VICE AND ORGANIZED CRIME COMPLAINTS

A. The Support Division Commander is responsible for the drugs/vice and organized crime control function and is responsible for the supervision of officers assigned to those functions.

B. Any complaints received by the Department concerning vice or organized crime shall be documented with an incident report and forwarded to the Support Division Commander who will review the report and determine if the information should be assigned for investigation or classified as intelligence. To determine which cases to investigate, the Support Division Commander should consider the following:

1. Is the information or intelligence valid?

2. What is the nature of the problem?

3. What is the priority of the problem?

4. What information or leads exist?

5. What investigative techniques to use?

6. Does the agency have sufficient resources?

7. What possible problems are foreseen?

C. After the Support Division Commander answers these questions, a decision can be made whether the case should be investigated further and what investigative methods should be utilized. If the decision is made to investigate the case further, the Support Division Commander will assign the case to the Narcotics Task Force Officer or a Detective. All leads will be pursued until a satisfactory conclusion to the case is obtained. If the case is determined to be intelligence, the Support Division Commander will ensure that it is analyzed and classified accordingly. In some cases, it may be necessary to refer the case to federal, state or county agencies for further investigation. The Support Division Commander shall get the authority from the Chief of Police if the case is to be referred to a federal, state, or the county.

D. Unless the investigation is covert, all vice and organized crime investigations shall be documented in accordance with standard reporting procedures:

1. Establish a case number.

2. Assign an officer to the case.

3. Complete an incident report.

4. Document all follow-up efforts with a supplemental report.

5. Bring the case to a satisfactory conclusion.

E. A covert operation shall be authorized by the Support Division Commander after consultation with the Chief of Police, and supervised by the respective squad supervisor. The Support Division Commander will keep all confidential reports in a secured file within the records management system and he/she will ensure that the case is handled promptly and that all documentation is completed. Once the case is brought to a conclusion the documentation shall be forwarded to Records.

F. All drugs/vice and organized crime complaints substantiated by investigation will be maintained in a file under the purview of the Support Division Commander. Annual purging of the file will be the responsibility of the Support Division Commander and information collected during an investigation shall remain in the files. Reports will be forwarded to the Records.

G. The Support Division Commander will be responsible for the cooperation and resource deployment of all efforts against drugs/vice and organized crime. Information received from or conveyed to outside agencies will be filed and maintained by the Support Division Commander. Open channels of communication are imperative to improve strategies in combating vice and organized crime.

24.1.2 ACTIVE VICE AND ORGANIZED CRIME FILES

A. The Support Division Commander will maintain active covert investigations files in a separate locked location. Access to this location is limited to the Support Division Commander, Major, and the Chief of Police. Every investigation will be assigned a case number to enable the case to be filed chronologically as soon as it is brought to a conclusion.

24.1.3 ASSET FORFEITURE

A. The Support Division Commander will be responsible for the administration of the Asset Forfeiture Program for the Department. All forfeiture action will be conducted in accordance with Virginia State Code, Department of Criminal Justice Services Forfeited Asset Sharing Manual and the United States Department of Justice Guide to Equitable Sharing of Federally forfeited property for State and Local Law Enforcement Agencies.

B. If the Officer/Detective seizes a motor vehicle, the Chief of Police will inspect the motor vehicle to determine if it is in the best interest of the Department to seize the vehicle. If the Chief of Police determines that the motor vehicle is not going to be seized, then the investigating officer will return the vehicle to the owner. If the Chief of Police determines that the vehicle is worth seizing, then the vehicle will be entered into agency records and stored either at an approved storage facility or at the Police Department.

C. When an officer or detective seizes money in accordance with state law they will notify the Support Division Commander that an asset forfeiture action on the cash or property needs to commence.

D. The Support Division Commander will ensure that the money is counted and verified, along with a two-party count of the seized cash to ensure that the amount is properly verified.

E. The Support Division Commander will take the seized cash and will turn it over to the City's Treasurer's Office to be placed in the appropriate bank account. This cash will remain in the appropriate bank account until a court order has been entered by the Greensville County Circuit Court. All other property that is seized will be turned in to the property and evidence room pending the disposition of asset forfeiture case in Greensville County Circuit Court.

F. Once a court order has been filed, the Administrative Assistant with information provided by the Support Division Commander will complete a DCJS form 999 and the Support Division Commander will obtain a certified check from the City Treasurer for the amount of the asset forfeiture.

G. The Support Division Commander will then ensure that the proper percentages with sharing agencies are on the 999 form, and will send the 999 form, along with a certified check and a copy of the court order to the Department of Criminal Justice Services. Based upon the disposition of the court order, the property seized will either be granted to the Police Department or returned to the owner in compliance with Virginia State Code.

H. The Support Division Commander will ensure that all paperwork associated with a particular asset forfeiture is placed in an asset forfeiture file which is housed in a secured file cabinet in the office of the Support Division Commander.

I. The Department has 21 days from the date of seizure to file an asset forfeiture with the Department of Criminal Justice Services. The Support Division Commander will provide the Administrative Assistant all the necessary information to complete the DCJS form 998. The Administrative Assistant will forward a copy of the 998 form to the

Department of Criminal Justice Services, as well as the Greensville County Commonwealth Attorney's office for filing.

J. The Greensville County Commonwealth Attorney's office has 90 days to file an Information with the Greensville County Circuit Court.

24.1.4 CONFIDENTIAL INFORMANT FUND

A. The Confidential Informant Fund (CIF) is an annual budgeted item for the enforcement of vice, narcotics and payment of informants for information and expenses. The Support Division Commander shall make a request through the chain of command for money in this fund. The Support Division Commander shall keep this confidential fund in a secure locked location and will maintain all transactions in an automated spreadsheet reflecting initial balance, credits/debits and balance on hand. All money disbursed to funds custodian/officers/informants for investigative purposes shall be documented on the Department's disbursement form. The Major will conduct a quarterly audit of the CIF and will forward his findings to the Chief of Police. Also, an independent audit will be conducted on this fund as stated in General Order 12.4.3, *Independent Audit*. The disbursement form shall include the following:

1. Department Case Number.

2. Nature of disbursement.

3. Receiving funds custodian/officers/confidential informant's signature.

4. Date of expenditure.

5. Substance/property received.

6. Confidential informant code number.

B. The CIF is designed for use in the following areas:

1. Undercover purchases of narcotics.

2. Payment to confidential informants.

a. Below are the criteria to be used when paying informants:

(1) $50.00- General information to assist the officer/detective to locating a suspect/witness/victim relating to a case. Authorized by the Support Division Commander.

(2) $100.00- Relevant and corroborated information that assists in the investigation of class 1 misdemeanor. Authorized by Support Division Commander.

(3) $150.00- Relevant information leading to the arrest of class 1 misdemeanor; or relevant and corroborative information that assists in the investigation of a felony case. Authorized by the Major.

(4) $200.00-$500 -Information leading to the arrest of felony investigations. Authorized by the Chief of Police

3. Purchase/maintenance of narcotics equipment.

4. Purchases of stolen property.

5. Miscellaneous expenses for an informant in the course of a criminal investigations.

24.1.5 SURVEILLANCE AND UNDERCOVER EQUIPMENT

A. The Department's surveillance and undercover equipment is maintained by the Support Division Commander. Necessary equipment may be obtained through the Support Division Commander for use. Whenever the equipment is used, the officer will ensure constitutional safeguards are maintained and court established guidelines are followed. Supervisory responsibility for the use and care of the equipment will rest with the Support Division Commander.

B. The video surveillance equipment shall be used in connection with a criminal investigation, or as otherwise approved by the Chief of Police, or his/her designee in his/her absence.

24.1.6 COVERT OPERATIONS

A. See General Order 24.1.1, *Vice/Drugs/Organized Crime Complaints.*

24.1.7 SURVEILLANCE/UNDERCOVER/DECOY/RAID OPERATIONS/VICE/COORDINATION OF INFORMATION

A. The Support Division Commander is responsible for coordinating, planning, and implementing surveillance, undercover, vice, decoy, and raid operations. The Chief of Police, and Major will be notified of and provided with up-to-date information, beginning with the planning phase, regarding the status of such operations, through their completion. For those operations that occur without prior planning, the Chief of Police, and the Major will be notified and fully briefed immediately following their completion.

(Also refer to 24.1.8, *Quarterly Status Report*.) Guidelines for these operations should include:

1. Authorization from the Major who will designate a single person to supervise the operation.

2. Analysis of the crimes, victims and suspects, including criminal history, known associates, weapons usage, habits, vehicles, methods of operation, or other available background information.

3. Notification of the Commonwealth Attorney when applicable to discuss any legal matters.

4. Surveying the target area to identify potential hazards and locations for surveillance, and establishing strategies and tactics for approaching, entering, securing, and leaving the target area.

5. A briefing to familiarize all participating personnel with the objective and details of the operation, as well as one another's clothing, vehicles, and roles, to eliminate the possibility of not being recognized as a law enforcement officer during the operation.

6. Determining operational procedures including methods for observation and surveillance, as well as planning for arrests with defined responsibilities assigned to each officer involved. If mass arrests are expected, the Southside Regional Jail shall be notified, and the appropriate arrangements made;

7. Coordinating high-risk entries with the Greensville County Sheriff's Office to utilize their SWAT team.

8. Determining required funds.

9. Establishing routine and emergency communications for officers involved in the operation.

10. Planning for the overlap of personnel if surveillance is required over an extended period of time.

11. Planning for necessary equipment and vehicles appropriate for the operation.

12. Ensuring that sufficient backup security and perimeter protection is provided. The operation shall be implemented only when the predetermined numbers of covering officers are available for deployment.

13. Ensuring that the confidentiality of such operations is maintained.

14. Ensuring that all necessary and reasonable precautions have been taken, prior to contact with suspects.

15. Assigning each officer with specific areas or items of evidence to search and seize.

16. Authorization for and planning the use of force to gain entry during police raids when necessary.

17. Notifying the Greensville County Rescue Squad prior to high risk entries or raids, and summoning them if necessary.

18. Notifying the patrol supervisor of the action so that he or she will be aware of the operation.

19. Monitoring all phases of the operation by the supervisor who is responsible for the police action.

20. Informing uniformed officers that they shall not acknowledge any undercover officer.

21. Only after the contact is initiated by the undercover officer may the uniformed officer recognize the undercover officer.

B. The narcotics detective will be provided with a false identity and necessary credentials, as needed. The confidentiality of the detective is maintained by the Support Division Commander.

C. When any officer compiles information related to vice or organized crime within the City, he/she shall submit a report and notify the Support Division Commander If upon review it is determined that the activity may be of long-term duration or if the patrol force may need to have knowledge of the information, the Support Division Commander will meet with the Major, who will in turn notify the Chief of Police. The dissemination of such information will rest with the Chief of Police.

D. The Major will serve as a liaison between the EPD and the Greensville County Sheriff's Office. The Major will make contacts as needed with the sheriff's office to ensure that pertinent information is disseminated to and from both agencies.

E. The Support Division Commander or his/her designee will assign detectives to attend the various regional interdepartmental meetings on a regular basis.

F. Attendance at these functions will facilitate the two-way flow of information between all represented agencies in the region.

24.1.8 NARCOTICS STATUS REPORT TO CHIEF OF POLICE

A. The Meherrin Drug Task Force Coordinator will advise the Chief of Police, along with other Command Board Members with details about complaints, investigations and arrests concerning all narcotics related activity in the Task Forces jurisdiction.

24.2 EVENT DECONFLICTION

24.2.1 PURPOSE

A. The purpose of this policy is to promote the safety of law enforcement personnel and the community, enhance investigative efforts and mitigate the duplication of investigative initiatives.

24.2.2 POLICY

A. It will be the policy of the Emporia Police Department to utilize formal deconfliction via DICE web- based information system in all investigations and events.

24.2.3 DEFINITIONS:

A. **DICE**: The Deconfliction and Information Coordination Endeavor, aka. DICE. The DICE system is an internet-based, Department of Justice (DOJ)-owned application that provides federal, state, local and tribal law enforcement agencies with the ability to identify data related to common investigative data, typically referred to as a conflict or investigative overlap, the system immediately notifies relevant law enforcement personnel of the match and provides contact information for the owner(s) of the records, but does not give access to the matched investigative data itself. This enables law enforcement personnel to deconflict, share information, and coordinate efforts while protecting the integrity of ongoing investigations.

B. **Case/Subject Deconfliction**: DICE provides case/subject deconfliction to its participating agencies. This means that it identifies common entities shared by cases that have been entered into the DICE system. These entities include PEOPLE, PLACES, THINGS, VEHICLES and WEAPONS. The DICE system achieves this by recognizing the common entities in different cases and creating a “Match Report” which is sent by email to those involved.

C. **Event Deconfliction**: Allows law enforcement agencies throughout the country to submit information about planned events such as surveillance operations, buy bust operations or the execution of search and seizure warrants. This system will alert anyone involved to possible operational conflicts with other known high risk events that exist within a certain

geographic proximity.

24.2.4 ACCESS

A. Access and data entry into DICE de-confliction system is only authorized to the Support Division Commander and those detectives assigned to the Criminal Investigations Section.

24.2.5 TARGET AND INVESTIGATIVE INFORMATION DECONFLICTION

A. Event deconfliction applies to geographical conflicts that occur at the same time and in the same proximity. Target and investigative activity deconfliction applies to subjects, gangs, locations, telephone numbers, vehicles, and other investigative information about criminal activity.

B. Upon opening an investigation on any crime, information shall be queried and/or stored through available national, regional, or local systems to determine whether another agency has an ongoing investigation with common investigative information, to reduce parallel investigations and to promote investigative collaboration. If a conflict is discovered in either target or investigative activity, contact shall be made with the other agency to resolve and coordinate issues and information.

24.2.6 QUALIFYING EVENTS

A. In the initial phase of an investigation involving:

1. Homicide
2. Malicious Wounding (Firearms)
3. Robbery –Home Invasion/Narcotics Related
4. Ongoing Narcotics Investigation
5. Narcotic overdose – fatal/nonfatal
6. Warrant/Fugitive Squad Violent Offenders

B. Information entered into the deconfliction system shall include:

1. Date and time of planned operation;

2. Type of operation;

3. Location of the operation, including any staging areas;

4. Information about the suspect(s), including full names, aliases or monikers, date of birth, vehicle information, phone numbers,

contraband to be purchased and amount of money involved;

5. Lead and participating agency names;

6. Name and agency of the person entering the operation, including cellular telephone number, along with a secondary point of contact for the operation.

7. Specify the radius of deconfliction (if not preset by the deconfliction system).

C. If a conflict with other law enforcement activity is identified both of the contact personnel will be notified by the event deconfliction system or watch center personnel.

1. Each affected law enforcement entity is responsible for contacting one another and resolving the conflict before taking further action.

2. Investigating personnel must refrain from executing any operations until identified conflicts have been resolved.

D. Unresolved operational conflicts will be immediately referred to command/supervisory level personnel.

E. Any exemption or deviation from this procedure shall be considered on a case-by-case basis and approved only by a command/supervisory level officer.

F. The case officer will search against DICE for the following common case entities:

1. Suspect(s)
2. Vehicle(s)
3. Associated Location(s)

G. In the event a potential conflict is identified, the case officer will immediately notify his/her supervisor and initiate contact with the conflicted agency/case officer. The case officer will make every effort to collaborate with the conflicting agency/case officer to mitigate the potential conflict. Deconfliction attempts, including contact and/or collaboration, will be noted in the investigative case file by the investigating officer.

H. During the formal investigation of the listed offenses, the case officer will enter the following common case entities for the purpose of case deconfliction:

1. Homicide Investigations

    a. Suspect(s)
    b. Vehicle(s)
    c. Associated Location(s)
    d. Weapon(s)

2. Malicious Wounding-Firearm Violation
    a. Suspect(s)
    b. Vehicle(s)
    c. Associated Location(s)
    d. Weapon(s)

3. Robbery –Home Invasion/Narcotics Related
    a. Suspect(s)
    b. Vehicle(s)
    c. Associated Location(s)
    d. Weapon(s)
    e. Thing(s) - i.e. property taken

4. Ongoing Narcotics Investigation
    a. Suspect(s)
    b. Vehicle(s)
    c. Associated Location(s)

5. Narcotic Overdose
    a. Victim(s)
    b. Associated Location(s)
    c. Suspected narcotic
    d. Thing(s) – i.e. cell phone

6. Warrant/Fugitive Squad Violent Offenders
    a. Suspect(s)
    b. Vehicle(s)
    c. Associated Location(s)

I. Event deconfliction is an effective tool for reducing the dangers that high risk events pose to both law enforcement personnel and the general public. At a minimum, the case officer will initiate an "event" entry in DICE for any high risk activity involving:

1. Search Warrant
2. Undercover operation
3. Fugitive operations which are operational (roundups);
4. Any other high-risk or specialized law enforcement activities that would benefit from event deconfliction.
5. Informant or officer face-to-face meetings with suspects for the purpose of receiving, delivering, or negotiating the receipt or delivery of any contraband;
6. Long term covert operations (storefronts);
7. Buy/Bust operation
8. Buy/Walk operation
9. Knock/Talk Operation
10. Stationary or mobile surveillance
11. Violent fugitive
12. Covert activity by officers, or by informants acting under the direction of officers.

J. An "event" will be entered into DICE by the case officer no more than 2 hours prior to the initiation of an "event". If a conflict is discovered, the case officer will immediately notify his/her supervisor and make contact with the conflicted agency/case officer. The case officer will make every effort to collaborate with the conflicting agency/case officer to deconflict and mitigate the impact on the conflicting agency's case. Event entries and collaboration with other agencies, if applicable, will be noted in the operational plan by the investigating officer.

24.2.7 DOCUMENTATION OF DECONFLICTION EFFORTS

A. When searching against DICE, or entering common case entities, the case officer will note the deconfliction efforts in the investigative case file. For matters requiring deconfliction, the case officer or supervisor will note the deconfliction efforts in the operational plan that documents these listed events.

B. Personnel conducting field operations as described above shall

ensure that these operations are entered into the event de-confliction system online and will print off the report and attach it to the Operational Plan. All operations requiring entry into the event deconfliction system shall be made as soon as information is available, but at least two (2) hours prior to the event taking place, if possible.

24.2.8 COMPLIANCE

A. Event deconfliction is a key component of officer safety during planned police operations and high-risk investigations.

B. Consequently, failure to comply with this policy may result in disciplinary action.

25.1 ADMINISTRATION

25.1.1 ORGANIZATIONAL COMMITMENT/RESPONSIBILITY

A. The Department is committed to the development, implementation and maintenance of programs designed to prevent and control juvenile delinquency. When possible, juveniles will be referred to organizations other than the formal juvenile justice system for non- serious or social problems. Both public and private social service agencies, school associations and components of law enforcement agencies may be more effective than the juvenile court in changing juvenile behavior. Solving individual and community problems with local resources is the goal and ambition of the Department.

B. The Operations Division Commander or his/her designee will maintain a liaison with the Sixth District Court Service Unit and Juvenile Court System. This officer will be the primary contact for the planning and coordinating of juvenile operations which will include, but not be limited to:

1. Design and implementation of programs intended to prevent and control delinquent and criminal behavior by juveniles;

2. Serving as a resource person for other officers in providing information on court preparation of juvenile cases and their coordination within the court system;

3. Diverting juvenile offenders from the juvenile court system, when appropriate, by providing alternatives that solve the behavioral problems of the youth.

C. All officers of the Department must participate in and support juvenile operations. It is imperative that officers closely monitor juvenile activities in the community and stay knowledgeable about the services available to assist in solving the problems to which juveniles are exposed.

D. The Operations Division Commander, or his/her designee, shall ensure that a current list of such services agencies and telephone numbers is maintained in the Communications center.

25.1.2 POLICY REVIEW

A. The Department will have all policies and procedures concerning juvenile matters reviewed by the Sixth District Court Services Unit. The Chief of Police shall ensure that these reviews are completed prior to the actual implementation and any changes to this policy and procedure.

25.1.3 ANNUAL EVALUATION

A. The Chief of Police shall review and evaluate all juvenile enforcement and prevention programs annually. The evaluation should consider both the quantitative and qualitative elements of each program to determine if they should be continued, updated, added to, or eliminated, and whether they meet the needs of the youth in the community. The report shall be disseminated to all police personnel detailing any changes and setting the direction of enforcement and prevention for the future.

25.2 OPERATIONS

25.2.1 ALTERNATIVES TO PROSECUTION

A. Officers may use reasonable alternatives, consistent with preserving the public safety, order and individual liberty, when dealing with juvenile offenders. Officers seeking an alternative to juvenile court referrals may, if they deem appropriate:

1. Release with no further action,

2. Release to a parent or guardian with a warning.

3. Release to a parent or guardian with a voluntary referral to a social services agency.

4. Contact the Sixth District Juvenile Court Services Unit and utilize their diversion programs for minor, less serious offenses, such as: curfew and shoplifting.

B. Officers should take into account the following variables when deciding whether to prosecute a juvenile:

1. Seriousness of the offense.

2. Age of the juvenile.

3. Criminal history of the juvenile.

4. Availability of rehabilitation programs to the juvenile and the likelihood the juvenile would voluntarily participate in the program.

5. Attitude of the victim or complainant concerning prosecution of the juvenile.

C. Juveniles are only taken into custody in accordance with the Code of Virginia 16.1-246. When possible, summonses are utilized for notifications to appear in court. Other court notifications are issued by the Sixth

District Court Service Units. Detention orders must be obtained from an intake officer or a juvenile court judge. Officers may take juveniles into custody, but are not empowered to determine whether or not the juveniles will be placed into detention.

D. Official referrals to the Sixth District Court Services Unit will be made when any of the following conditions exist (referrals are not limited to these situations):

1. Complainant or victim wishes to prosecute the juvenile offender.

2. A juvenile has committed an act that if committed by an adult would be a felony.

3. A juvenile has committed a threatening or harmful act with a weapon.

4. A juvenile has committed a serious gang-related act that if committed by an adult would be a criminal offense.

5. While on probation or parole, a juvenile has committed an act that if committed by an adult would be a criminal offense.

6. A juvenile has committed an act that if committed by an adult would be a criminal offense while there is a case pending against the juvenile, or the juvenile has committed a repeat offense within a 12 month time period.

7. A juvenile has committed an act that if committed by an adult would be a criminal offense and parental supervision is ineffective, or the juvenile refuses to voluntarily participate in an alternative program.

25.2.2 TAKING JUVENILES INTO CUSTODY/JUVENILE ARRESTS

A. Juvenile Arrests - Juveniles may be taken into immediate custody when one or more of the following conditions are present:

1. There is probable cause to believe that the juvenile has committed an offense, which would be a felony if committed by an adult.

2. In the presence of the officer, the juvenile commits an act which would be a misdemeanor if committed by an adult, and the officer believes that it is necessary for the protection of the public interest to take the juvenile into custody.

3. When based on probable cause on a reasonable complaint of a person who observed the offense, the juvenile commits a misdemeanor offense involving:

a . shoplifting in violation of Codes of Virginia 18.2-103,

b . assault and battery, or

c . carrying a weapon on school property in violation of 18.2-308.1.

4. On the authority of a detention order or warrant known to be on file in this or a foreign jurisdiction.

5. Probable cause exists that the juvenile has run away from home.

6. The officer determines the juvenile is truant.

7. Probable cause exists that the juvenile is without adult supervision at night and the lack of supervision causes a clear and substantial danger to the welfare of the juvenile.

8. Probable cause exists that the juvenile has escaped or run away from jail, detention home, or any facility appointed by the court to care for and supervise the juvenile.

9. The juvenile agrees, voluntarily, without threat or coercion, to accompany the officer to the police station for the purpose of returning the juvenile to the home or providing for proper care and supervision.

10. When a child is believed to be in need of in-patient treatment for mental illness as provided in Code of Virginia 16.1-340.

B. Juvenile Detention - Without any of the preceding conditions, officers shall not unnecessarily detain juveniles. All reasonable efforts to release juveniles to a parent, or adult acting as a parent, who is available, able, and willing to take custody of the juvenile, shall be exhausted before an attempt to detain is made. The following guidelines are provided to govern the release of juveniles after being taken into custody:

1. When the juvenile has been detained under the authority of a detention order or warrant, the juvenile shall be taken to an intake officer where the legal process is executed. If an intake officer is unavailable the juvenile shall be taken to the nearest magistrate. As soon as possible the officer shall notify a parent or adult responsible for the juvenile of the detainment.

2. When the juvenile has been detained based on an offense committed in the officer's presence or on probable cause, the juvenile shall be released to a parent or legal guardian responsible for the juvenile as soon as practical. If the officer feels the juvenile should not be released, the officer shall

immediately transport the juvenile to an intake officer or to the nearest magistrate if a counselor is not available. The intake officer or magistrate will then establish the release directions.

3. When the juvenile has been detained based on probable cause that the juvenile has escaped from a jail, detention home, or appointed court facility, the officer may return the juvenile to the facility if practical, or takes the juvenile to an intake officer or to the nearest magistrate if an intake officer is not available.

4. When the juvenile has been detained based on probable cause that the juvenile is a runaway, or to protect the child's welfare, the officer shall contact an intake officer. The intake officer will determine whether a petition or detention order will be issued. If neither is issued, the officer shall release the juvenile to a parent, legal guardian or an adult acting as a parent. If an appropriate adult cannot be contacted, the juvenile must still be released.

5. When the juvenile is taken into custody for a truancy violation, the juvenile shall be released to the appropriate school personnel.

C. Procedures - Officers will follow these procedures when taking a juvenile into custody:

1. Ensure that the constitutional rights of the juvenile are protected.

2. Release the juvenile, interrogate the juvenile in accordance with General Order 25.2.3, *Custodial Interrogation*, or transport the juvenile, without delay, to the holding or detention facility unless the juvenile is in need of emergency medical treatment.

3. Notify the juvenile's parent or guardian as soon as practical.

D. Fingerprinting and Photographing Juveniles - Fingerprinting and photographing juveniles will be done in accordance with Code of Virginia 16.1-299.

1. Fingerprints and photographs may also be taken when an officer obtains a juvenile court order requiring the juvenile to submit to such processes.

2. Juvenile fingerprints and photographs shall be separately and securely maintained in Records. Access to these records will be restricted to official use and may be viewed by the public only on the authority of a court order.

3. Juveniles who are arrested for actions that would require processing of an adult who had committed the same crime will be processed with digital photographs and LiveScan fingerprints.

   a. The digital photographs will be submitted with the initial report and maintained separately from adult photographs. Under no circumstances will juvenile photographs be taken and maintained through RMS; nor will they be utilized in any photographic line-up.

   b. Fingerprints will be processed under "Juvenile" (a drop-down choice through LiveScan) and printed out and submitted with the initial report. Records Section will be responsible for submitting the printouts to CCRE.

4. Destruction of fingerprints and photographs shall occur when:

   a. If a petition or warrant is not filed against a juvenile whose fingerprints or photographs have been taken in connection with an alleged violation of the law, the fingerprint card, all copies of the fingerprints and all photographs shall be destroyed 60 days after fingerprints were taken.

   b. If a juvenile charged with a delinquent act other than a violent juvenile felony or a crime ancillary, thereto, is found not guilty, or in any other case resulting in a disposition for which fingerprints are not required to be forwarded to the Central Criminal Records Exchange, the court shall order that the fingerprint card, all copies of the fingerprints and all photographs be destroyed within six months of the date of disposition of the case.

E. Juvenile Case Reporting Procedures

1. Juveniles voluntarily in custody shall be documented by an incident report.

2. Juveniles released from custody after a verbal warning shall be documented by an incident report and completion of a *Virginia Uniform Summons* noting the offense committed and the word *Warning* below the offense.

3. Juveniles released from custody with the officer intending to secure a petition will be documented by an incident report and a *Virginia Uniform Summons*. A supplemental report shall be completed as soon as the officer appears before an intake officer.

4. Juveniles taken into custody for runaway or truancy will be documented with an incident report and a *Virginia Uniform Summons*.

5. The summons is utilized in an internal departmental form for recording that a juvenile was taken into custody for violating the law. In completing the summons on all non-traffic juvenile arrests, the Department copy goes to the Records Section. Juveniles taken into custody for their own protection shall not be documented with a summons. These cases will be documented with the incident report.

6. In all cases when a juvenile is interviewed or in any of the preceding situations, all attempts to contact the parents or legal guardians shall be made.

7. Officers making alcohol or marijuana charges against juveniles must seek petitions through the Sixth District Court Services Unit. Officers will not issue summonses for any alcohol or drug related offenses.

F. Juvenile Petitions and Warrants

1. A petition shall be sought in all cases where a juvenile is taken into custody for an act that, if committed by an adult, would be a felony. If juvenile court is closed, the sixth district court services unit has an intake officer available 24 hours a day, seven days a week.

2. A petition may be sought or a warning issued in all other cases where a juvenile is taken into custody. The arresting officer will make this decision. However, the use of a warning is prohibited if:

   a. The complainant is committed to proceeding with a prosecution.

   b. The juvenile is known to have been arrested or warned the preceding year for an act that if committed by an adult would be a crime.

3. A juvenile physically arrested for traffic violations shall be issued a summons for the violation and released to his/her parent or legal guardian.

4. Juvenile status offenses include *Truancy, Beyond Parental Control*, and *Runaway*. Limits on the authority of police officers to take custody of status offenders are governed by Code of Virginia 16.1-246. Reports of runaways shall be investigated in accordance with General Order 22.10, *Missing Juveniles/Runaways*.

25.2.3 CUSTODIAL INTERROGATION

A. When officers conduct interrogations, and the juvenile is not free to leave, or the juvenile perceives that he/she is not free to leave, the following procedures must be followed:

1. Notification must be made to the parents/legal guardians when possible. The adults will be allowed to attend the questioning. If the adults do not attend, they shall be informed on what the interrogation will cover.

2. The juvenile's constitutional rights will always be protected.

3. Physical force or physical intimidation will not be utilized to attempt to compel the juvenile to respond to questions.

4. The interrogation will be completed without delay and shall not be prolonged in an attempt to tire the juvenile.

5. Only one officer should interrogate the juvenile to decrease the feeling of intimidation.

6. Officers shall ensure that the juvenile understands the events that are taking place and realize how the criminal justice system operates.

7. All juveniles arrested and interviewed/interrogated shall be videotaped in the department's interview room.

25.2.4 CONSENSUAL INTERACTION/FIELD INTERVIEW

A. Juveniles may not be detained unless an officer/detective have reasonable articulable suspicion of a delinquent act or a status offense. If an officer does not have a reason to detain the juvenile, any field interview is deemed a consensual non-custodial contact and should be documented in the MDT as a field contact.

B. A consensual non-custodial contact can become an Investigative Stop ("Terry Stop") if the officer/detective develops facts that cause him/her to believe reasonable articulable suspicion of a delinquent act or status offense exist reasonable articulable suspicion allows the officer/detective to temporarily detain the juvenile for the purpose of confirming or denying that suspicion. If the officer/detective has no legal basis to detain the juvenile, the officer/detective is engaging in a consensual interaction and the juvenile must be allowed to leave at any time.

C. Officer/Detective's will:

1. When interacting with a juvenile in a consensual field interview, if at any time the juvenile wishes to leave, officer/detectives shall not restrict their freedom of movement, prevent the juvenile from leaving, or compel the juvenile to answer any questions. If during a consensual interaction/field interview, the juvenile asks if they are free to leave, the officer/detective must advise that the juvenile is not in custody and is free to leave. The officer/detective may call a parent or other adult for assistance. If the officer/detective has no reasonable articulable suspicion of a delinquent act or a status offense, there is no legal authority to detain the juvenile.

2. Upon concluding a consensual field interview, a field contact will be completed in the mobile data terminal.

3. If an officer/detective interacting with a juvenile in a consensual field interview develops facts to justify reasonable articulable suspicion that the juvenile is armed, and conducts a weapons pat-down, the officer/detective must complete an incident report detailing the facts that justified the pat-down. The officer/detective must document these facts whether or not the pat-down revealed a weapon.

4. If the member develops facts to justify reasonable articulable suspicion that delinquency or status offenses are afoot, the officer/detective may temporarily detain the juvenile in order to confirm or dispel that suspicion. The officer/detective must complete an incident report detailing the facts that gave rise to the reasonable articulable suspicion. The officer/detective must document these facts whether or not that suspicion is dispelled.

25.2.5 SCHOOL LIAISON

A. The Operations Division Commander is responsible for the school liaison programs. The principals of all schools, directors of all pre-schools, and directors of all church schools shall be contacted regularly by the Department to offer services. The Operations Division Commander will coordinate special events and presentations in the schools that include:

1. Alcohol Abuse Prevention

2. Drug Abuse Prevention

3. Juvenile Law

4. Child Safety

5. Bicycle Safety

6. Personal Safety

B. Officers shall take the opportunity when instructing juveniles to offer the resources of the EPD with respect to delinquency prevention, offering guidance on ethical issues, explaining the role of law enforcement in today's society, and to provide the opportunity for individual counseling to all juveniles that express an interest.

25.2.6 RECREATIONAL YOUTH PROGRAMS

A. The Department supports and encourages personnel to actively participate in youth activity programs. All personnel should attempt to recruit juveniles into these programs, channeling idle time into constructive, beneficial activities. The relationships that develop from these programs frequently last a lifetime.

25.2.7 CHILD ABUSE OR NEGLECT

A. The safety and welfare of all children is a primary duty of the Department. This responsibility must be met with an awareness of the necessity for coordination between the EPD, the Greensville County Juvenile and Domestic Relations Court, and the Greensville County Department of Social Services. Child Protective Services (CPS), a division of the Department of Social Services (DSS), serves as the focus for coordinating all activity related to investigating child abuse or neglect.

B. Communications Center Responsibility:

1. Reports of alleged child abuse or neglect received by the Communications Center personnel shall be entered into the CAD system and dispatched to an officer or detective.

2. If the Communications Officer cannot obtain the complainant's name, address, telephone number, or other pertinent information concerning the abuse or neglect, the Communications Officer will encourage the complainant to talk with a police officer.

3. If the complainant refuses, the Communications Officer will attempt to have the complainant contact CPS on the toll-free child abuse/neglect hotline. The hotline number will be maintained on the list of emergency numbers in the Communications Center.

C. Initial Officer's Responsibility: An Officer will either receive a complaint of suspected child abuse or neglect from the Communications Center, or an officer discovering child abuse or neglect, shall proceed in the following manner:

1. Suspected child abuse or neglect where there is no imminent

danger to the child shall be investigated and reported on an incident report.

2. All child abuse or neglect cases will remain active and turned over to the Investigations Section.

3. If an officer finds a child in a situation that presents an imminent danger to the child's life or health, the officer may take the child into custody without prior approval of the parents or guardian. Protective custody is authorized in Code of Virginia 63.2-1517 when a child is abused or neglected as defined in this directive. If a child is abandoned or placed in a situation of immediate risk, protective custody shall be used. When possible, CPS shall be contacted prior to the child being taken into custody to enable a CPS worker to do an assessment on whether to remove the child. Section 63.2-1517 of the Code of Virginia, mandates the following criteria must be satisfied for a physician, protective service worker, or law enforcement officer to take protective custody of a child without prior approval of parents or guardian:

    a. Circumstances of the child are such that continuing in the place of residence or in the care or custody of the parent, guardian, custodian, or other person responsible for the child's care, presents an imminent danger to the child's life or health to the extent that severe or irremediable injury would likely to result.

    b. A court order is not immediately obtainable.

    c. The court has set procedures for placing such children;

    d. Following taking the child into custody, the parents or guardians are notified as soon as practical.

    e. A report is completed for the Department of Social Services.

    f. The court is notified and the person or agency taking custody of the child obtains, as soon as possible, but within 72 hours, an emergency removal order pursuant to Code of Virginia 16.1-252.

4. When an officer takes a child into protective custody and is unable to contact CPS prior to removal of the child, the officer shall bring the child to the Child Advocacy during their normal business hours or the EPD during any other hours and contact CPS. The on duty supervisor shall ensure that Investigations is contacted and a detective will assume responsibility for the investigation.

5. If an officer arrests a parent or guardian and the arrest leaves a child without proper care or supervision, the officer shall contact CPS to care for the child.

D. Criminal Investigations Section Responsibilities:

1. CIS has the responsibility for conducting investigations into all incidents of child abuse or neglect. All such investigations shall be reported to CPS immediately with the officer documenting the CPS contact with a supplemental report. Officers shall assist CPS upon request when it is necessary to conduct an investigation of criminal conduct resulting in possible child abuse or neglect.

2. If an officer must take immediate custody of a child, CPS shall be notified as soon as possible. The scene of the crime should be protected when practical until CPS arrives. The officer will assist CPS as long as necessary to ensure that the investigation proceeds without interference.

3. During an investigation concerning a juvenile who is a runaway, an officer may discover conditions in the child's home indicating abuse or neglect. Action shall be taken by the officer to assist the child. This assistance will be guided by the criteria detailed in this directive. If a child repeatedly runs away from home or an investigation reveals a condition in the home, other than abuse or neglect, which would persuade a child to run away, the officer may attempt to utilize other community resources such as the CAC or Department of Social Services. This should be done for the interest of the child, and agreement from the parent or guardian is not necessary.

E. Emporia/Greensville Multi-Disciplinary Team Protocol

1. The guidelines contained in this document are to be used by agencies involved in joint investigations of child abuse and/or neglect in the City of Emporia and the County of Greensville. The best practices were developed with the following goals:

2. Provide a clear framework for planning and conducting an investigation;

3. Minimize trauma for child and family;

4. Build on collaborative relationships within agencies to promote safer communities.

5. Requirements of Virginia Law

The primary objective and/or responsibility of Child Protective Services (CPS) is protecting the welfare of abused and neglected children. The primary objective and/or goal of law enforcement is the investigation of suspected criminal activity, and the arrest of any person when probable cause exists that they committed a crime. It is crucial that the agencies work together and fully cooperate with each other regarding the investigation of suspected incidents of child abuse and/or neglect. The following Virginia code sections and definitions address the legal requirements of everyone responsible for the investigation of crimes against children:

a. Virginia State Code 63.2-1503: Requires that Child Protective Services personnel SHALL report, immediately, to the local Commonwealth's Attorney and the local law enforcement agency, nor more than two hours from the complaint;

(1) The death of a child;

(2) The suspected sexual abuse of any child;

(3) Suspected physical abuse resulting in serious bodily injury or the threat of serious bodily injury of any child;

(4) The abduction of any child;

(5) Any felony or class 1 misdemeanor drug offense involving a child;

(6) Information that a person age 18 or older is having sexual intercourse with a child between the ages of 15-17.

b. Virginia State Code 63.2-1509: Requires that the following personnel SHALL notify CFS immediately of any suspected child abuse or neglect:

(1) Any person licensed to practice medicine or any of the healing arts;

(2) Any hospital resident or intern, and any person employed in the nursing profession;

(3) Any person employed as a social worker or family services specialist;

(4) Any probation officer;

(5) Any teacher or other person employed in a public or private school, kindergarten or nursery school;

(6) Any person providing full-time or part-time child care for pay on a regularly planned basis;

(7) Any mental health professional;

(8) Any law enforcement or animal control officer;

(9) Any mediator eligible to receive court referrals pursuant to Virginia State Code 8.01-576.8;

(10) Any professional staff person, not previously enumerated, employed by a private or state-operated hospital, institution or facility to which children have been committed or where children have been placed for care and treatment;

(11) Any person responsible 18 years of age or older associated with or employed by any public or private organization responsible for the care, custody or control of children;

(12) Any person who is designated a court-appointed special advocate pursuant to Article 5 (§9.1-151 et seq.) of Chapter 1 of Title 9.1;

(13) Any person 18 years of age or older who has received training approved by the Department of Social Services for the purposed of recognizing and reporting child abuse and neglect;

(14) Any person employed by a local department as defined in Virginia State Code 63.2-100 who determines eligibility for public assistance;

(15) Any emergency medical services provider certified by the Board of Health pursuant to Virginia State Code 32.1-111.5, unless such provider immediately reports the matter directly to the attending physician at the hospital to which the child is transported, who shall make such report forthwith;

(16) Any athletic coach, director or other person 18 years of age or older employed by or volunteering with a private sports organization or team;

(17) Administrators or employees 18 years of age of older of public or private day camps, youth centers and youth recreation programs;

(18) Any person employed by a public or private institution of Higher education other than an attorney who is employed by a public or private institution of higher education as it relates to information gained in the course of providing legal representation to a client.

c. The following *do not* require notification of Child Protective Services:

(1) Abuse or neglect of a child committed by an adult who is not the parent, guardian or other person responsible for the care of the child.

(2) Marital conflict confined to the parents where no abuse or neglect has been directed to the child.

(3) Conflict between parent and child with no indication of neglect or abuse.

(4) Delinquency.

(5) Truancy, unless due to parental neglect.

d. Virginia State Code 63.2-100 *defines child abuse or neglect as any child less that eighteen years of age*:

(1) Whose parents, or other person responsible for the child's care, creates or inflicts, threatens to create or inflict, or allows to be created or inflicted upon such child a physical or mental injury by other than accidental means, or creates a substantial risk of death, disfigurement, or impairment of bodily or mental functions; including to but not limited to, a child who is with his parent or other person responsible for his care either (i) during the manufacture or attempted manufacture of a Schedule I or II controlled substance, or (ii) during the unlawful sale of such substance by that child's parents or other person responsible for his care, where such manufacture, or attempted manufacture or unlawful sale would constitute a felony violation of Virginia State Code 18.2-248.

(2) Whose parents, or other person responsible for the child's care, neglects or refuses to provide care necessary for the child's health. However, no child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious

denomination shall for that reason alone be considered to be an abused or neglected child. Further, a decision by parents who have legal authority for the child or, who refuses a particular medical treatment for a child with a life-threatening condition shall not be deemed a refusal to provide necessary care of (i) such decision is made jointly by the parents or other persons with legal authority and the child; (ii) the child has reached 14 years of age and is sufficiently mature to have an informed opinion on the subject of his medical treatment; (iii) the parents or other person with legal authority and the child have considered alternative treatments options; (iv) the parents or other persons with legal authority and the child believe in good faith that such decision is in the child's best interest.

(3) Whose parent, or other person responsible for the child's care, abandons such child.

(4) Whose parent, or other person responsible for the child's care, commits or allows to be committed any act of sexual exploitation or any sexual act upon such child in violation of the law.

(5) Who is without parental care or guardianship caused by the unreasonable absence or the mental or physical incapacity of the child's parent, guardian, legal custodian, or other person acting in the place of the parents.

(6) Whose parents or other person responsible for his care creates a substantial risk of physical or mental injury by knowingly leaving the child alone in the same dwelling, including an apartment as defined in Virginia State Code 55-79.2, with a person to whom the child is not related by blood or marriage and who the parent or other person responsible for his care knows has been convicted of an offense against a minor for which registration is required as a violent sexual offender pursuant to Virginia State Code 9.1-902.

e. Virginia State Code 15.2-1627.5. Coordination of multidisciplinary response to child sexual abuse.

(1) The attorney for the Commonwealth in each jurisdiction in the Commonwealth shall establish a multidisciplinary child sexual abuse response team, which may be an existing multidisciplinary team. The team shall conduct

regular reviews of new and ongoing reports of felony sex offenses in the jurisdiction involving a child and the investigations thereof and, at the request of any member of the team, may conduct reviews of any other reports of child abuse and neglect or sex offenses in the jurisdiction involving a child and the investigation thereof. The team shall meet frequently enough to ensure that no new or ongoing reports go more than 60 days without being reviewed by the team.

(2) The following individuals, or their designees, shall participate in review meetings of the multidisciplinary team: the attorney for the Commonwealth; law-enforcement officials responsible for the investigation of sex offenses involving a child in the jurisdiction; a representative of the local child protective services unit; a representative of a child advocacy center serving the jurisdiction, if one exists; and a representative of an Internet Crimes Against Children task force affiliate agency serving the jurisdiction, if one exists. In addition, the attorney for the Commonwealth may invite other individuals, or their designees, including the school superintendent of the jurisdiction; a representative of any sexual assault crisis center serving the jurisdiction, if one exists; the director of the victim/witness program serving the jurisdiction, if one exists; and a health professional knowledgeable in the treatment and provision of services to children who have been sexually abused.

f. Cases Served by Multi-Disciplinary Team

(1) The cases that will be served by the multidisciplinary team are:

(a) Child sexual abuse;

(b) Child physical abuse;

(c) Child neglect;

(d) Child exploitation;

(e) Other cases where the best interests of a child witness/victim call for MDT, as a whole or in part, to become involved.

(2) The decision to bring a child to the MDT will be

determined by the assigned investigative officer and/or the CPS worker investigating the case. This decision will be left to their expertise and their respective supervisor's guidance when necessary. Efforts will be made to ensure all cases involving suspected severe neglect, sexual abuse and severe physical abuse of children are interviewed following this protocol.

(3) To understand the meaning of neglect, sexual abuse and physical abuse, we are using the definitions used by the Virginia Department of Social Services as follows:

(4) Volume VII, Section III, Chapter A of the Virginia Department of Social Services states that:

(a) Virginia Code §63.2-100 provides the statutory definitions of abuse and neglect. A child who is a victim of sexual abuse is any child less than eighteen years of age whose parents or other person responsible for his care commits or allows to be committed any act of sexual exploitation or any sexual act upon a child in violation of the law.

(b) Virginia Code §63.2-100 provides the statutory definition of physical abuse. An abused or neglected child means any child less than eighteen years of age whose parents or other person responsible for his care creates or inflicts, threatens to create or inflict, or allows to be created or inflicted upon such child a physical or mental injury by other than accidental means, or creates a substantial risk of death, disfigurement, or impairment of bodily or mental functions.

(c) Virginia Code §63.2-100 states that a neglected child is any child less than eighteen years of age whose parents or other person responsible for his care fails to provide food, clothing, shelter, or supervision for a child to the extent that the child's health or safety is endangered. This also included abandonment and situations where the parent or caretaker's own incapacitating behavior or absence prevents or severely limits the performing of child caring tasks.

g. MDT Meetings and Case Review:

The primary purpose and objective of the MDT/Task Force Case Review process is to:

(1) Review investigations, assess service delivery, and facilitate efficient and appropriate disposition of cases through the criminal justice system;

(2) Increase communication and collaboration among professionals responsible for the investigation and prosecution of crimes involving neglect, sexual abuse and severe sexual abuse and severe physical abuse of children and crimes of child exploitation;

(3) Eliminate duplicative efforts in the investigation and prosecution of child abuse and exploitation cases;

(4) Identify gaps in services or untapped resources within the community to improve delivery of services to the victim and the family;

(5) Encourage the development of expertise and with discipline-specific training and cross-discipline training;

(6) Provide a safe environment for the exchange of ideas and concerns from different disciplines through an examination of the complete flow of cases through the criminal justice system and beyond;

(7) Discuss other cases of importance that may fall within the general purview of the MDT. These may be, but not limited to, child pornography, child solicitation, and adult sexual assault cases;

(8) MDT Case review meetings will be held on a monthly basis. The Commonwealth's Attorney will assume the responsibility for coordinating the meetings including time, member notification, preparing the agenda and providing case review docket.

h. Initiation of Investigation/Intake Process

(1) If CPS receives the initial report, they will determine the immediate safety needs of the child in accordance with agency policy and procedures. The CPS worker assigned will immediately notify the appropriate law enforcement agency and the Commonwealth Attorney's Office within the requisite time. If they determine the

alleged perpetrator is not the child's parent or other caretaker, they will notify law enforcement for any further action.

(2) When the initial report of suspected neglect, sexual or physical abuse is received by law enforcement, the department's policy and procedures will dictate how they respond. The responding officer will obtain preliminary information to determine if a criminal investigation is needed. The immediate safety needs of the child victim are also determined. The officer/investigator will immediately contact CPS to conduct a joint investigation if it is determined that the offender is a parent or caretaker. If not, CPS may still assist, especially if they have a history with the child or alleged perpetrator. Law enforcement should also contact the Family Violence and Sexual Assault Unit for assistance, as may be appropriate within their department's policy and procedure.

(3) Once members of MDT have jointly become involved in a case, every effort will be taken to coordinate and minimize the necessary contacts with the children. CPS and/or law enforcement will conduct a facts assessment to determine if a crime has been committed (or suspected) and to ensure the child's safety. Family Violence and Sexual Assault Unit will provide advocacy service for the child and the child should NOT be interviewed any more than necessary to determine the initial assessment until a forensic interview has been completed. This does not preclude the provision of supportive services to the child and family as necessary and appropriate. All cases should still be referred to the MDT so that the child has the benefit of an interagency collaborative review.

(4) The MDT will make every effort for child forensic interviews to be held as swiftly as possible and within 5 business days of the initial determination of suspected severe neglect, sexual abuse and severe physical abuse of children. All forensic interviews with the child shall occur at the Child Advocacy Center in Emporia, Virginia, unless there are specific reasons to do otherwise.

(5) Forensic interviews are to be conducted, whenever possible, in an interviewing room which utilizes a video camera and microphone for recording purposes. MDT members may monitor from a nearby monitoring room.

Interviewers are encouraged to leave the interview room to check in with MDT members in person prior to the conclusion of the interview. A second interview may be requested if a member of the MDT becomes aware of new information. The decision to schedule a second interview will be made on a case by case basis. When considering this option, MDT members will work to ensure that children are not further victimized by the intervention systems designed to protect them and will work to prevent trauma to children caused by multiple, duplicative contacts with numerous professionals.

(6) The MDT will also make every effort for a medical exam with the VCU Child Protection Team to be held as swiftly as possible and within 7 days when any skin to skin contact is suspected. A medical examination is necessary to identify both new and old injuries and begin any necessary treatment, including sexually transmitted diseases. CPS, law enforcement and the FVSAU and the CAC should coordinate, as necessary, regarding transportation, family involvement, and obtaining medical records and results.

(7) As part of ensuring the overall safety of the child, a protective order should be obtained when an offender can be identified. CPS or law enforcement will seek and obtain an emergency protective order, when appropriate. CPS and/ or the FVSAU will coordinate with the family to secure preliminary and permanent protective orders. Violations of protective order should be brought to law enforcement's attention for additional charges.

(8) Law enforcement will coordinate with the Commonwealth's Attorney's Office prior to seeking any criminal charges. Charging decisions will be made by the CA's office, with input from all MDT members. The CA's office will inform the MDT of charging decisions and case progression in order to minimize impact on the family while facilitating any other legal proceeding CPS may be involved with.

i. Rules and Responsibilities

(1) Department of Social Services:

(a) Investigate reports of suspected abuse and/or neglect (physical abuse, physical neglect, mental abuse, medical neglect, sexual abuse and

substance-exposed infants) of children up to age 18 years by a parent or caretaker from the public and professionals mandated to report;

(b) Inform and coordinate with appropriate law enforcement and the Commonwealth's Attorney's Office when required to facilitate criminal investigation and prosecution;

(c) Interview parents, caretakers, alleged abuser, all children in the home and other relevant parties to assess immediate danger, determine whether abuse/neglect occurred and plan appropriate services;

(d) Interview the child victim in order to assess basic facts, to assess safety, emotional and physical needs from the child's perspective;

(e) Preserve the family when possible by enhancing the parent's ability to provide adequate care;

(f) Formulate goals and strategies; identify appropriate resources; counsel clients and make referrals;

(g) Coordinate services provided by other agencies, such as individual or family counseling, educational programs, medical care, mental health care, dental care, foster care placement, legal counsel, substance abuse treatment programs, emergency assistance and law enforcement intervention;

(h) Prepare, review, interpret and execute court orders regarding removal, placement, and other related matters; attends professional meetings;

(i) Transport clients to placements to ensure their welfare or facilitate the delivery of appropriate services;

(j) Supervise cases, monitor progress and compliance with court orders, and ensure safety and well-being of clients;

(k) Establish and maintain individual case records; document intervention with clients, including visits, meetings, referrals, contacts, actions, and plans; establish case histories; observe federal, state and local guidelines;

(l) Maintain specialized database (OASIS); input, retrieve, and analyze data; review reports to ensure that data is current and accurate; generate reports;

(m) Serve as client advocate; pursue proper referrals and follow-up in order to secure financial support through child support; authorize, negotiate and monitor payments to service providers;

(n) Assist in the preparation of legal documents; initiate legal actions, such as petitions and hearings; testify in court and provide written reports, and other documents for judicial or administrative review;

(o) Perform CPS On-Call duties on assigned weekends (Friday 5:00 PM – Monday 8:00 AM) and week days outside of Agency business hours (5:00 PM – 8:00 AM).

(1) Office of the Commonwealth's Attorney:

(a) Prosecute criminal cases;

(b) A prosecutor at the CA's office is available on an on-call basis for consultation on legal issues in cases that the MDT is mandated to cover;

(c) Work with detectives while the case is being investigated to determine charging decisions and CPS when requested;

(d) Be available for arraignment and bond hearings;

(e) Determine if prosecution needs to be delayed while the child recovers sufficiently to testify;

(f) Serve as the MDT Coordinator

(g) Schedule MDT meeting date and time;

(h) Communicate meetings to all team members;

(i) Create agenda with input from all team members;

(j) Maintain current multidisciplinary team roster and confidentiality agreements;

(k) Facilitate meeting;

(l) Take minutes or assign duty to take minutes and disseminate to members;

(m) Maintain case roster;

(n) Receive regular feedback regarding team functioning and address issues as needed;

(o) Review and update protocol;

(2) Victim/Witness Assistance Program:

(a) Assist client and family with understanding the criminal justice system;

(b) Explain the Virginia Victims' Rights Act;

(c) Notification of court dates;

(d) Assist family in securing victim's compensation and accessing other community resources as appropriate;

(e) Assist in preparing child for trial;

(f) Provide quarterly contact to child and non-offending caregiver to discuss ongoing criminal legal proceedings;

(g) Participate in MDT meetings

(3) Emporia Police Department/Greensville Sheriff's Department:

(a) Respond to incidents and made appropriate notifications to other team members in cases of actual or possible child abuse;

(b) Respond to cases at the Emergency Room when practicable upon notification;

(c) Be present at CAC forensic interview when possible and collect any physical evidence recovered from medical examinations;

(d) Work closely with medical team and CPS/Social Services to identify and further investigate cases of actual and possible child abuse;

(e) Identify, locate, and/or coordinate the arrest of offenders;

(f) Record interviews of suspects, when possible;

(g) Work closely with the Commonwealth Attorney's Office while the case is being investigated to determine appropriate criminal charge decisions;

(h) Assist in the prosecution of criminal cases.

(4) Family Violence and Sexual Assault Unit:

(a) Provide support throughout the investigation and prosecution of the case;

(b) Accompany the victim and non-offending caregiver to medical exams, meetings and court hearing;

(c) Coordinate with the family to secure preliminary and permanent protective orders (in cooperation with CPS when they are involved);

(d) Coordinate scheduling of forensic interviews and medical exams;

(e) Coordinate services with other agencies;

(f) Provide education specifically about sexual assault issues;

(g) Provide court preparation and accompaniment, as appropriate;

(h) Provide mental health counseling and referrals;

(i) Provide assistance accessing long term mental health treatment as appropriate;

(j) Provide on-going support group services;

(k) Provide referral to community resources as appropriate;

(l) Participate in MDT meetings.

(7) FVSAU Children's Advocacy Center:

(a) Process CAC referrals;

(b) Complete Intake;

(c) Schedule and Conduct Forensic Interviews;

(d) Work Collaboratively with FVSAU and Involved Members of the MDT to Ensure the Scheduling of Forensic Medical Exams;

(e) Provide Trauma-Informed Clinical Services On-Site;

(f) Provide Family Advocacy Services;

(g) Make Referrals to Other Services and Support as Needed;

(h) Maintain Updated Case Information on Children Served;

(i) Offer Outreach Programming to Address Child Abuse Prevention and Other Special Topics of Interest in the Emporia/Greensville Area and Surrounding Communities;

(j) Coordinate and Schedule Training Opportunities for MDT Members;

(k) Evaluate Effectiveness of and Satisfaction with the MDT Processes Annually with Feedback from Team Members and Other Community Partners.

(8) Court Services Unit:

(a) Provide assistance in identifying issues with victims and suspects;

(b) Contact Social Services and/or police if there is a report of child abuse/neglect;

(c) Participate in the MDT for the detection and prevention of child abuse;

(d) Contact police and/or Social Services if suspect is in violation of bond, protective orders, or probation;

(e) Provide information sharing as it may relate to parties in a case.

(9) Greensville County Public School System:

(a) Provide assistance in identifying issues with victims and suspects;

(b) Contact Social Services and/or police if there is a report of child abuse/neglect;

(c) Participate in the MDT for the detection and prevention of child abuse/neglect;

(d) Contact police and/or Social Services if suspect is in violation of bond, protective orders, or probation;

(e) Provide information sharing as it may relate to parties in a case.

j. Confidentiality, Disclosure, and FOIA

(1) All members of the MDT agree to sign the MDT Confidentiality Agreement which expires after one year. MDT members renew their Confidentiality Agreement each year. The signed forms will be kept on file. MDT members will also sign a sign-in sheet at each meeting affirming their commitment to the confidentiality agreement.

2) Virginia State Code §63.2-1503(K) allows multidisciplinary team members to share information on suspected abuse cases. Information about allegations and evidence collected will be freely shared among the team members pursuant to Virginia State Code 63.2-1503(K) as needed.

(3) All MDT members agree to share information obtained regarding a case with the team, including information obtained through investigation after case initiation, with limited exceptions where information sharing would result in danger to other parties, damage separate investigations, or would be a violation of federal law.

(4) Police reports are exempt from state and federal Freedom of Information Act (FOIA) disclosure. Therefore, CPS personnel should not include any police report as part of the CFS case file, and dispose all police reports in accordance with the “Revisions to CPS Practice” memorandum dated October 24, 2008. In addition, police reports shall not be forwarded to non-CPS personnel.

(5) The federal Health Insurance Portability and Accountability Act of 1996 (HIPPA) states that “a covered entity may disclose protected health information for the public health activities and purposes described in this paragraph to: …a public health authority or other appropriate government authority authorized by law to receive reports of child abuse and neglect” without consent. (45 C.F.R. §164.512(b)(1)(ii)).

k. MDT Visitor Policy

(1) If an MDT member would like to invite an individual that is not directly affiliated with an MDT agency, they must contact the MDT Coordinator and request to bring the visitor. The Coordinator may approve the request or may contact members of MDT for their input. If the visitor is approved, they will sign a confidentiality agreement before participating in the meeting.

(2) The MDT Coordinator may also permit professionals to MDT Case Review meetings who are relevant to a particular case that is scheduled for review. These professionals will sign the confidentiality agreement and will attend the MDT meeting only during the time frame their case is being reviewed.

l. Modification and Termination of Protocol

(1) This protocol shall be in force and effect from the date signed by the parties. Any party may withdraw from this protocol by written notice with a date definite for said agency to withdraw from participation, unless they are a mandated party by statute. Each party agrees and understands that the protocol shall be subject to review annually, on or before the anniversary date of the protocol, and that failure to modify, amend, revoke, or in a manner, alter the protocol shall indicate the parties intent that said protocol remain in full force and effect. Additionally, this protocol may be modified or amended at any time by a majority of the member agencies at any regularly scheduled meeting of the protocol.

26.1 CRIME PREVENTION

26.1.1 CRIME PREVENTION FUNCTION

A. Detective/Community Policing Officer - The Detective/Community Policing Officer, is assigned to the Criminal Investigations Section of the Support Division and is supervised by the Criminal Investigations Lieutenant. The Detective/Community Policing Officer is responsible for coordinating and implementing the activities of the Department's crime prevention function. This officer maintains close ties with all functions of the Department to enhance the furtherance of the crime prevention effort.

B. Crime prevention is a primary function for all officers. Each officer has an individual responsibility for achieving the goals of crime prevention and community relations programs. Preventing crime demands an integrated, comprehensive and proactive effort by all employees. All supervisors, officers and civilian employees are responsible for assisting in the achievement of the crime prevention goals of the EPD.

C. The police department recognizes the value of preventing and preempting crime and thus seeks to maximize the effectiveness of the community-policing program by:

1. Targeting community-policing efforts based on crime type and geographic area on the basis of crime data.

2. Tailoring community-policing activities to address community concerns, perceptions and misperceptions of criminal activity.

3. The Support Division Commander will provide the Major and the Chief of Police with feedback regarding the community's response to criminal events.

E. An annual evaluation shall be conducted by the Chief of Police community to determine what programs should be continued, modified, or discontinued.

26.1.2 COMMUNITY LIAISONS

A. Police Community Liaisons

1. The Detective/Community Policing Officer will be the Department's main contact with all interested civic, business, educational and service groups. Through the Detective/ Community Policing Officer, the Department offers guidance and assistance to any interested party in organizing crime

prevention groups for the purpose of deterring crime in their respective neighborhoods or area. These efforts include:

a. Establishing liaison with existing community organizations or establishing community groups where they are needed.

b. Assisting in the development of community involvement policies for the agency

c. Publicizing agency objectives, community problems, and successes.

d. Communicating crime trends and problems between citizens, businesses and the agency.

e. Supporting agency practices bearing on police community interaction.

2. The above efforts are conducted by:

a. The detective/community policing officer will provide police resources to individuals interested in establishing a business crime prevention program within the community.

b. Officers assigned to the various neighborhood PACT areas will maintain contact with the community and assist with crime prevention.

B. The Detective/Community Policing Officer will work with Officers in residential areas that will emphasize safety and security in the home as well as the neighborhood. In addition, the department will assign officers to specific areas within the City. Officers will be responsible for developing relationships and interacting with residents and business owners in their assigned areas. The assigned officer will serve as the primary contact between the Police Department and the respective residents and business owners.

C. The EPD offers programs on security for homes or businesses, marking property for identification purposes, offering programs within the community that deal with social and community problems. The Detective/Community Policing Officer will target areas that would benefit from these programs and will also be available to all public and private groups, or any citizens who requests these services.

D. Communications Center Community Involvement

1. The Communications Center will have one dispatcher who will be the Department's main contact and liaison with all interested civic, business, educational, service groups,

community organizations and other community groups. Through the assigned Dispatcher, the Department offers guidance and assistance to any interested party in community education to citizens within the City. These efforts include:

a. Informing all communications personnel about the agency's community education objectives;

b. Developing community education policies for the agency,

c. Publicizing agency objectives, problems and successes;

d. Conveying information transmitted from citizens and/or organizations to the agency;

e. Improving agency practices bearing on public safety communications-community interaction;

f. Identifying training needs with input from citizen representative, those involved in internal investigations and conferences with supervisors.

2. The above efforts are conducted by:

a. The communications officer will provide communications center resources to individuals interested in community education as it relates to the E-911 Communications Center.

26.1.3 CRIME PREVENTION, ZONING AND BUILDING REGULATIONS

A. The Chief of Police or his/her designee will provide security recommendations upon request to any interested citizen or businessperson that is building or remodeling a structure in the City of Emporia.

B. The Chief of Police or his/her designee will be responsible for meeting with local Fire Department officials, as well as the City Building Inspector, where needed, in order to help integrate crime prevention solutions into the development and implementation of city zoning policies, building codes, building permits and fire codes.

26.2 COMMUNITY INVOLVEMENT

26.2.1 COMMUNITY INVOLVEMENT FUNCTION

A. The Department constantly strives to increase the community's understanding of police activities, increase citizen confidence in the Department, and encourage a broader participation throughout the City in the law enforcement effort. All employees of the EPD share the responsibility of attaining good community relations. The Chief of Police, Major, Captains along with community officers will serve as liaison between the EPD and the business community, local citizen organizations, civic associations, private security organizations and regional and statewide organizations. The Chief of Police will establish direct contact with the community in order to gain support for law enforcement activities. Programs conducted by the officer will include but not limited to:

1. Security Surveys for Homes and Businesses

2. Educational Programs – for all ages, conducted at schools, businesses, community gatherings and/or at the Department.

3. Citizen's Police Academy

B. The Detective/Community Policing Officer will review and analyze, quarterly, input received from contacts with the many citizen groups he/she works with. During this review, issues such as police service satisfaction, community problems, and practices that may affect police-community relations shall be noted. The Detective/ Community Policing Officer will make recommendations for improving departmental procedures that affect police-community relations. This report will be forwarded to the Chief of Police through the chain of command for review. See General Order 26.2.2, Quarterly *Report,* below.

C. All Officers shall constantly strive to develop relationships in their assigned areas with business owners, residents and establish crime prevention groups in the business and residential areas of the City where groups do not exist.

D. All contacts, official and unofficial, between a departmental employee and citizens in any grouping constitute a vital part of the Department crime prevention program. All employees are responsible to ensure these contacts contribute to the development of a positive image of the Department; as well as publicizing community involvement objectives, community problems and successes.

E. The EPD has an active community-policing program. All Department employees are encouraged to interact with residents and business persons, and to volunteer their time and expertise in addressing concerns and problems. Officers who are requested to give a presentation to any group who shall contact the Operations Division

Commander for assistance, and notify the Major through their Lieutenant prior to making arrangements.

F. Community input must be reflected in departmental policies and procedures to effectively serve the needs and desires of the people. This input will be in the form of suggestions or opinions obtained from the general community in the following ways:

1. Through the quarterly report by the Community Policing Officer concerning citizen input. (See General Order 26.2.2 below).

2. Input from community meetings.

3. Comments from all Department personnel when new policies and procedures are staffed for review.

26.2.2 COMMUNITY INPUT PROCESS

A. The Emporia Police Department strives to maintain a collaborative community involvement process that accomplishes the following:

1. An identification of current community concerns;

2. An identification of potential problems that have bearing on law enforcement activities within the community;

3. Development of recommendations of actions addressing concerns and problems;

4. Providing for a statement of progress obtained on previously presented concerns and problems.

5. These exchange of concerns and problems will be addressed at the Chief of Police's monthly staff meeting.

6. Agency personnel who receive any problems or concerns from members of the community will report those issues to their Section Lieutenant who will bring those concerns to the staff meeting.

7. If agency employees observe problems or concerns based on their own observations, they will also submit those concerns to their Section Lieutenant to bring up at the monthly staff meeting.

B. The Emporia Police Department's Communication Center strives to maintain a collaborative community education function that accomplishes the following:

1. A description of potential problems that have a bearing on public safety communications activities within the community;

2. A statement of recommended actions that address previously identified concerns and problems;

3. A statement of progress made toward addressing previously identified concerns and problems.

4. These exchange of concerns and problems will be addressed at the Chief of Police's monthly staff meeting.

5. Communications personnel who receive any problems or concerns from members of the community will report those issues to the Communications Supervisor who will bring those concerns to the staff meeting.

6. If agency employees observe problems or concerns based on their own observations, they will also submit those concerns to the Communications Supervisor to bring up at the monthly staff meeting.

26.2.3 CITIZEN SURVEY

A. A citizen survey will be conducted by the Chief of Police every three (3) years. The survey will solicit responses, randomly, from the population throughout the City of Emporia. The questions asked must cover, but are not limited to, the following topics:

1. Overall agency performance.

2. Overall competence of agency employees.

3. Officers' attitudes and behaviors toward citizens.

4. Citizen concern over safety and security within the community as a whole.

5. Citizen suggestions and recommendations for improvements.

B. The results of the citizen survey is compiled and a written summary is provided to the Chief of Police. The Chief of Police will review and analyze the results and comments and make adjustments as necessary.

26.2.4 RIDE-ALONG PROGRAM

A. The Department offers a citizen ride-along program that allows specific citizens an opportunity to accompany patrol officers during their tour of duty. By participating in this program citizens are exposed to a realistic view of police officers job. To provide a uniform, safe, and responsible ride-along program, the following procedures have been established.

B. Application Procedures

1. The Operations Division Commander will act as program coordinator.

2. Applicants must be at least 18 years of age to participate in the program.

3. A ride-along form shall be completed and submitted to the Operations Division Commander.

4. The Operations Division Commander shall review the ride-along form, and coordinate the ride-along with the respective squad supervisor in which the applicant will ride.

5. Citizens will sign the release and waiver form, which will be retained for one year.

C. Time Limits - All persons who ride with the EPD may ride once a quarter during the calendar year. The Operations Division Commander will maintain a log regarding ride-along activity that will assist him/her to ascertain an applicant's eligibility and monitor participation in the program.

26.2.5 CHILD SAFETY SEAT INSTALLATION PROGRAM

A. Purpose

The leading cause of death in infants and children is trauma. Motor vehicle accidents cause most of the trauma that leads to deaths of infants and children. In the United States it is estimated that a large majority of children are improperly secured in child safety seats or that the child safety seat was improperly installed.

B. Policy

It is the policy of the Emporia Police Department to assist the public in improving the protection of our children through a child safety seat program. Therefore, the City of Emporia Police Department will be available to citizens to check and install child safety seats in order to prevent death or injury.

C. Procedure

1. Certification as a Technician

a. Initial Certification- Employees of the Emporia Police Department must attend a National Child Passenger Safety Certifications Training Program.

b. Recertification – A technician needs to recertify every two years in accordance with the National Child Passenger Safety Certification Training Program.

c. Expiration – If a Technician's certification expires, they must notify the Department's Training Officer so that it can be reflected in the Department's Training Records.

2. Forms to be Utilized

   a. Technicians of the Emporia Police Department will utilize the Virginia Department of Health Child Safety Seat Checklist.

      (1) The left hand side of the form will be filled out completely by the participant.

      (2) The technician will make every attempt to obtain as much information as possible to complete the form.

      (3) These forms will be submitted to the Operations Division Commander immediately after each event or installation.

3. Donations

   a. The Emporia Police Department will follow the City of Emporia Personnel Policies Manual when accepting donations for the Child Safety Seat Program.

4. Technician Responsibilities:

   a. Only certified Child Safety Seat Technicians will inspect child safety seats.

   b. Technicians will stay up to date on child safety recalls and amendments.

   c. Child Safety Seats inspections will be arranged by appointment only.

   d. Parents will contact the Emporia Police Department for an appointment through 434-634-2121 and provide the following information:

      (1) First and Last Name

      (2) Phone Number

      (3) Type of Seat (infant, convertible or booster)

      (4) Original owner of the seat

(5) The Emporia Police Department will not inspect a child safety seat if there is an unknown history or a second hand seat. A second hand seat from a family member may be considered if the history is known.

(6) Type of Vehicle

5. Installation and Inspection Requirements:

   a. Parents must fill out Virginia Department of Health Child Safety Seat Checklist.

   b. Seat must be in adequate condition, cannot look used, such as worn tags, labels, harness, etc.

   c. Seat must have all Federal decals and labels present such as:

      (1) Date of Manufacturer

      (2) Model Number

   d. It is the responsibility of the technician to check the recall list for any recalls on the child seat if there is a parent to be notified of the recall and the course of action to be taken.

   e. Child Seat history if the same parent owned the seat and 2 children have used the seat. It is recommended by the National Highway Transportation Safety Administration (NHTSA) to replace the seat. The Emporia Police Department will not inspect the seat further.

   f. No child seat will be inspected if the seat is over its life expectancy. The expiration date or 5 years from the manufacturers date.

   g. Vehicles involved in automobile accidents:
      (1) Per NHTSA, if the vehicle has been involved in a minor traffic accident the child seat is safe to use. A minor accident is defined by NHTSA as:

         (a) The vehicle was able to be driven away from the accident site;
         (b) The vehicle door nearest the child safety seat was undamaged;

         (c) There were no injuries to any of the vehicle occupants;

         (d) The air bags (if present) did not deploy; and

         (e) There is no visible damage to the child safety seat.

      (2) If a car seat does not meet the above criteria in a motor vehicle accident, the car seat should be removed and immediately destroyed.

6. The major requirements of Virginia State Code 46.2-1095 are:

a. Child restraint devices are required for children through the age of seven (until their 8th birthday). Child safety seats must be properly used and approved by the Department of Transportation standards. There is no height or weight requirement associated with this law.

b. Virginia law is based solely on age.

c. Rear-facing child restraint devices must be placed in the back seat of the vehicle. In the event that the vehicle does not have a back seat, the child safety restraint may be placed in the front passenger seat only if the vehicle is either not equipped with a passenger side air bag or the passenger side air bag is de-activated.

d. Children can no longer ride unrestrained in the rear cargo area of vehicles.

e. The law applies to anyone (parents, grandparents, babysitters, friends) who provides transportation for a child in any vehicle manufactured after January 1, 1968.

f. Public transportation (taxis, buses), regulation school buses and farm vehicles are exempted.

g. The child safety seat restraint law is a primary enforcement violation. No other violation need be committed prior to issuing a summons for failure to have a child in an approved seat.

h. A $50 civil penalty fine is imposed for failure to have child in a child restraint device. Any person found guilty of a second or subsequent offense, on different dates, will be fined up to $500. An additional $20 civil penalty fine is assessed when persons transporting a child exempted from this law due to medical reasons do not carry a written statement of the exemption.

i. All fines collected go into a special fund to purchase safety seats for low-income families.

j. There are assistance programs for low-income citizens who cannot afford a child safety seat. Contact Virginia Department of Health, Division of Injury and Violence Prevention at 1-800-732-8333 for more information.

27.1 ALL-HAZARD PLAN

27.1.1 PLANNING

A. The City Manager is the Director of Emergency Services with the assistance from the Coordinator of Emergency Services. The Chief of Police will assist both the Director and the Coordinator in the development of any unusual occurrence.

27.1.2 UNUSUAL OCCURENCES AND ALL-HAZARD PLANNING

A. Policy – It is the policy of the Emporia Police Department to maintain the peace and security of the City by responding to planned and unplanned unusual occurrences using the procedures outlined below in this all-hazard plan. The All-Hazard Plan provides a basic framework for responding to a wide variety of disasters, and cannot include all situations; however, the basic response will be similar following the national incident command system (NIMS) which is outlined in detail later in this plan.

B. Purpose - The following plan is to establish procedures for the Emporia Police Department in responding and handling natural/man-made disasters, pandemics, civil disturbances, mass arrests, bomb threats, hostage/ barricaded situations, acts of terrorism and other unusual incidents is utilized in conjunction with the City of Emporia Emergency Operations Plan.

C. Procedures

1. Definitions:

a. Natural Disaster: Any hurricane, tornado, storm, flood, high water, wind driven water, earthquake, drought, blizzard, ice storm, fire or other natural catastrophe resulting in damage, hardship, suffering, or possible loss of life.

b. Man-Made Disaster: Any industrial or transportation accident, explosion, conflagration, major power failure, resource's shortage, or other condition such as sabotage, oil spills, and other injurious environmental contamination which threaten or cause damage to property, human suffering, hardship or loss of life.

c. Civil Disturbances: May take various forms and vary in size and amount of danger to the general public. Civil disturbances include riots, disorders, and violence arising from dissident gatherings, rock concerts, political conventions, and labor disputes. Of primary importance in any civil disturbance is the defusing of the situation and a restoring of general public order.

d. Pandemics: A pandemic is a global disease outbreak. An influenza pandemic occurs when a new influenza (flu) virus emerges for which there is little or no immunity in the human population and spreads

easily from person-to-person. A pandemic is determined by spread of disease, not necessarily severity of diseases.

e. Mass Arrests: Mass arrest occurs when law enforcement takes in to custody a large amount of suspects in an event; typically seen at civil disturbances or protests that become criminal or violent.

f. Bomb Threats: A bomb threat is defined as a threat, usually verbal or written to detonate an explosive or incendiary device to cause property damage, injuries or death, whether or not the device actually exists.

g. Hostage/Barricaded Situations:

(1) Hostage- Means any person held by another against the person's will by force or threat of force, expressed or implied.

(2) Hostage Incident- Means any situation in which a person holds another person against the person's will.

(3) Barricaded Subject- Means any individual who is in a location made inaccessible to law enforcement and others by that person and that person is reasonably believed to have threatened suicide or threatened to inflict or has inflicted serious bodily injury or death on hostages, law enforcement officers, or other persons.

(4) Barricaded Subject Incident- Means any situation in which a person is in a location made inaccessible to law enforcement and that person is reasonably believed to have threatened suicide or threatened to inflict or has inflicted serious bodily injury or death to hostages, law enforcement officers or other persons.

h. Acts of Terrorism: Terrorism involves acts committed against individual persons and/or the general public, designed to intimidate, harass, and otherwise cripple or eliminate opposition or resistance to political, mercenary, or commercial goals.

2. Authority for Placing Plan into Operation

a. The highest-ranking on-duty Patrol Squad Supervisor is authorized to place this plan into operation. Appropriate notification of a situation requiring plan implementation must be made to supervisory personnel. The Chief of Police or his designee will immediately notify the Director of Emergency Management of the situation and will keep him advised of any changes so that the City of Emporia Emergency Operations Plan may be implemented if necessary without delay.

b. The Patrol Supervisor will then be responsible for implementing

Incident Command and will be responsible until relieved by a supervisor of higher rank.

3. Departmental Resources:

   a. The Patrol supervisor implementing this plan may determine that additional departmental resources are required in terms of personnel and/or equipment.

   b. Additional personnel may be called back; see the call back procedures.

D. Disaster Operation - The nature of the disaster, buildings or area affected, location, potential danger, etc., all will determine the nature of the officer's response. The supervisor will give consideration to the following areas:

1. Information: All units at the scene of a disaster will provide a continuous flow of information concerning conditions found, so the supervisor can evaluate the magnitude of the required response. The Communications Officer should also obtain information for the supervisor from other emergency services, utilities, etc. as available.

2. Field command posts: Depending on the nature of the disaster, a field command post may be established in the vicinity of the disaster. The command post will be commanded by the ranking Patrol Supervisor present at the scene. In any major disaster, the command post may be located at the in the meeting room at the Police Department.

3. Situation Maps: The IC will ensure that maps will be available for the affected location.

4. Communications: Supervisors will communicate necessary information to emergency services, utilities, and city and county departments and to media agencies. The Support Division Commander will ensure adequate Communications Officer assistance is provided to handle this increased workload and citizen call-ins. Under some circumstances, it may also be necessary to lend radios to emergency service/utility crews with whom essential contact must be maintained.

5. Casualty information: In any situation involving casualties, provision of casualty information will be the responsibility of the hospital and public inquiries will be so directed.

6. Public information/Community relations: The Chief of Police or his designee will have area media agencies notified and establish a media information briefing point either in the vicinity of a small-scale disaster or at the Police Department in case of an area wide disaster. On a regular basis, information will be provided directly to media representatives present. During an incident, all media agencies will be advised that no telephone inquiries will be responded to in order to reduce the burden on Communications Officers

and telephone lines. The Department will strive to maintain positive community relations throughout the incident.

7. Other law enforcement agency support: When additional support is required, the Chief of Police or his designee should be notified and may request additional law enforcement support from area agencies as required.

8. Military support/martial law: Any disaster of the magnitude to require military support or the imposition of curfew or martial law will be handled in accordance with the City of Emporia Emergency Operations Plan.

9. Court and Prosecutorial liaison: The Commonwealth's Attorney or her designee will be requested to provide legal advice to the IC as appropriate.

10. Legal authority: When appropriate individuals who are arrested will be afforded the opportunity to contact legal counsel at the conclusion of the booking process.

11. Building security: The involvement of one or more buildings, public or private, can generate a requirement for the provision of security to prevent looting or trespassing.

12. Traffic control: It may be necessary to block roads and reroute traffic away from or around the affected area. Emergency service units should be so advised and announcements made over local radio and television stations, etc.

13. Damage control: Necessary Public Works and utilities companies should be notified of road clearance needs, broken mains, downed lines, etc.

14. Equipment requirements: Any special equipment needs should be coordinated with the Administrative Assistant to the Chief of Police.

15. Rumor control: Factual information must be provided to media representatives particularly as regarding rumors. All personnel will ensure that the Police Department supervisors are advised of any rumors heard, in order for the Chief of Police to provide factual information, as available, to media representatives.

16. De-escalation procedures: Supervisors will ensure an orderly de-escalation of controls and personnel as appropriate once the disaster is controlled/overcome.

17. Transportation: Any special transportation needs may be requested from appropriate City departments or other emergency services.

18. Post Occurrence (aftermath duties): The IC, will perform the following duties:

a. Prepare a detailed report, providing all factual information about the incident to the Chief of Police, along with any appropriate recommendations.

b. Provide factual information to the news media via the Public Information Officer.

c. Arrange for evidence collection at the scene, by working with the Criminal Investigation Division Supervisors.

19. After-action reports: Supervisors involved will prepare after-action reports concerning all activity during a disaster incident as well as recommendations concerning the handling of any future problems. A completed after-action report will be provided to the City Manager by the Chief of Police. After-action reports will include any budgetary impact, commitments, obligations, etc.

27.1.3 MASS ARRESTS

A. Alternatives to mass arrests should be sought; close communication and cooperation with the Southside Regional Jail must be maintained. When situations exist that may lead to mass arrests, the Southside Regional Jail must be notified immediately by the officer in charge. The Emporia Police Department facility will not be used for detention of prisoners. All prisoners will be detained by the Southside Regional Jail. Prisoners will be processed at the Southside Regional Jail. Once processed, the prisoner shall be taken before a Magistrate. Once a prisoner is accepted at the Southside Regional Jail, the prisoner is no longer the responsibility of the Emporia police officer.

B. However, mass arrests may become a reality and must be handled quickly and efficiently. Arrested persons will be removed from the point of disturbance by the arresting officer and brought to a point where initial booking will take place. The following will take place when mass arrests occur:

1. Arrested persons will be processed and taken before the magistrate for a bond hearing as soon as possible.

2. Juveniles involved in arrests will be treated according to juvenile procedures as addressed in Chapter 25-Juvenile Operations.
3. Arrested persons will be transported to the police department or the Southside Regional Jail as a back up to multiple arrests.

4. The Southside Regional Jail will be notified in advance if there is the possibility of mass arrests.

5. When the situation arises where evidence collection is needed the Support Division Commander will coordinate the efforts of the Criminal Investigation Section to collect evidence.

6. Security of the booking area will be assigned to an individual by the IC.

7. All officers involved in the operation will be properly identified as law enforcement officers or civilian members of their appropriate department.

8. Where there is a circumstance where more agencies are involved, mutual aid agreements will be invoked.

9. Arrested persons will be afforded the opportunity to contact legal counsel at the conclusion of the booking process.

10. The Commonwealth Attorney or designee will be requested to provide legal advice to the IC as appropriate.

11. All media outlets will be afforded the same rights as outlined in Chapter 30-Public Information.

12. The Administrative Assistant shall, when appropriate provide food, water and sanitation for members involved in mass arrests, natural disasters, civil disturbance or any event that may be prolonged in time.

13. Arrested persons who are injured will be offered the appropriate medical treatment before any booking procedures begin.

27.1.4 ACTIVE THREATS

A. An active threat is defined as any incident that by its deliberate nature creates an immediate threat or presents an immediate danger to the community. All sworn personnel and communications officers are trained in rapid deployment of officers to incidents of active shooters. However, that same response can be applied to any situation that is defines as an “active threat.”

B. Examples of Active Threats include, but are not limited to:

1. Active Shooter;

2. Violence at Educational and Workplace Facilities;
3. Civil Disturbances;

4. Hostage Situations;

5. Armed Barricaded Person;

6. Bomb Threats;

7. Special Event

C. Initial Response to Active Threats

1. In the event of an active threat, the first responding officer (regardless of rank or assignment) must take immediate action to address the threat.

    a. The first officer on the scene should identify the location of the active threat.

    b. Once the active threat location is identified, the officer(s) present should go directly to the threat in an effort to stop it.

        (1) If there is still active threat when additional officers arrive, the additional officers should immediately deploy to the known or suspected location of the threat in an effort to stop it. Caution should be used to avoid unintentional cross-fire or friendly fire assaults.

        (2) Deployment to address an active threat will be in accordance with current Department training for rapid deployment.

    c. If the location of the active threat cannot immediately be determined, the officer(s) present should immediately attempt to locate the threat in an effort to stop it.

        (1) If only one officer is present, he/she should immediately enter alone in an attempt to locate the threat.

        (2) If multiple officers are present, they should split up and immediately enter the location in an attempt to locate the threat.

    d. These actions shall precede any effort to establish incident command or take any other action.

D. Secondary Response to Active Threat

1. Once the initial response is being addressed or has been completed, the ranking on-scene supervisor not involved in addressing any active threat should establish or assume incident command.
2. The Incident Commander is the responsible for ensuring that the following steps are taken:

    a. The incident commander will establish incident command with the location of command communicated to the Communications Center and to all responders.

    b. Additional ICS positions are filled as necessary based on the nature of the incident and the staff available.

c. Routine situational updates are provided to the Emporia E-911 Communications Center and shared with other responding public safety agencies.

3. ICS positions will be responsible for the following (note—the responsibilities assigned to any position that is not staffed revert to the Incident Commander):

   a. The Operations function is responsible for requesting additional public safety departments and resources to assist. These may include, but are not limited to:

      (1) Law Enforcement: Virginia State Police, Greensville County Sheriff's Office, Emporia Sheriff's Office, Federal, State and other local law enforcement agencies to assist with:

         (a) Traffic Control: Routing traffic away from the area, evacuation routes of areas vulnerable to the threat, denying access by spectators.

         (b) Scene Containment: Preventing the escape of suspects from the perimeter, preventing unauthorized personnel from entering the area.

         (c) Shelter Security: Ensuring those who are being sheltered are secure from the general public and media.

         (d) Criminal Investigations: Assisting in the collection of evidence and processing of the scene, interviewing victims, witnesses, suspects and any other associates.

         (e) Other resources needed from outside agencies, such as: armored vehicles, robots, helicopter, canines, etc.

      (2) EMS: A medical plan must be established to address any response to mass casualty, triage of patients, transport of victims to hospital and rehabilitation of public safety personnel.

      (3) Fire Department: Response to fire, explosions, hazardous materials and supplemental first responder medical needs.

   b. The Public Information Officer will be responsible for timely public notification for awareness and safety. This information will be delivered to all available media outlets and will include:

      (1) A brief synopsis of what has occurred;

      (2) A location for family of victims to meet;

      (3) A telephone number for families to call;

(4) Instructions for public not responding to the scenes.

c. The Planning and Logistics function will develop a public sheltering plan. The plan will include at a minimum:

(1) A means of accounting for those choosing to seek shelter;

(2) Procurement of supplies needed (cots, blankets, separate bathroom facilities, meals, etc.

(3) Criteria for granting or denying access to the shelter area.

E. Public Notification

The Department recognizes the responsibility it has for protecting the citizens of Emporia and for this reason, when circumstances dictate; public notifications should be utilized in order to increase awareness and safety of the public. The Department will utilize the Code Red Notification System, as well as the local newspaper and social media.

F. Notification of Additional Public Safety Departments and Resources

If the Department is faced with an Active Threat situation, the need to contact Federal, State and local law enforcement agencies to assist in the critical incident. In addition, the department will call upon the assistance of the Fire Department, Rescue Squad, and other social service organizations. In addition, the department will call upon the City's public works and utilities department.

G. Public Sheltering and Containment of the Incident

1. If the threat is inside of a building and it is safe for individuals to evacuate then they should be so in the safest route possible.

2. Upon evacuation the Police Department will ensure that there is an appropriate secure location to shelter the public until the threat has been contained and eliminated.

3. If evacuation is not an option, then individuals will have to shelter in place.

4. Individuals who have sheltered in place will take refuge in rooms, attempting to place as much distance between them and the active threat(s). Those sheltering in place may have placed as much furniture, tables, chairs and cabinets in front of the door to protect themselves from the active threat.

5. Depending on the event an institution may institute containment or a lockdown.

a. Containment- this is a measure taken that controls and limits entrance into the facility due to an <u>external</u> threat.

(1) All entrances are locked, except on controlled entrance.

(2) Staff should not leave the building.

(3) Movement internally is for the most part business as usual.

b. Lockdown- this is a measure taken to prevent people from leaving or entering the building due to an internal threat.

H. Documented Annual Review of Policy and Training Needs

1. On an annual basis the Chief of Police will conduct a documented review of the Active Threat Policy and determine what training needs the Department needs regarding their response to Active Threats.

I. Rapid Deployment Procedures:

1. Rapid deployment is the swift and immediate deployment of law enforcement resources to on-going, life threatening situations where the delayed deployment could otherwise result in the death or great bodily injury to innocent persons.

2. It is preferable to have a four-person team to enter the location; however, it may be necessary for an officer to enter the location and neutralize the active threat alone or with another officer

2. Primary Mission-The primary mission of the rapid deployment team is to locate, isolate, contain and stop the aggressive actions of the suspect(s). This mission includes, but is not limited to:

a. Establish temporary command post (close but safe location), made up of at least four law enforcement personnel with two ballistic shields and primary radio, if possible.

b. Assess situation (safest approach, scene conditions, determine threat location through victim/witnesses).

c. Move directly to the threat.

d. Provide 30 second radio updates to command post by radioman.

e. Isolate and contain suspect(s) (shrink inner perimeter, limit suspect movement, and prevent escape).

f. Neutralize the threat.

3. Secondary Mission

a. Develop intelligence (injury information, where to send additional deployment teams) and relay to command post for additional personnel arriving on scene.

b. Evacuate civilians to pre-designated areas with verbal directions (generally the entryway that the team entered and areas that are already cleared), you must continue past victims and move to the threat.

4. Rescue Mission

a. Discretion of supervisor in charge.

b. Deployed as soon as tactically possible.

c. Consist of other law enforcement personnel.

d. Enter and locate victims.

e. Extract victims to safe area.

f. Only life-saving measures will be instituted in the unsecured tactical environment.

5. Temporary Command Post

a. Senior officer (if possible).

b. Ongoing communications with deployment team and arriving personnel.

c. Identify personnel on site.

d. Establish and route additional deployment teams.

e. Routing of other personnel (fire, rescue, bomb squad, media, and family).

f. Continue to gather intelligence.

g. Establish radio contact between agencies.

h. Coordinate assignments.

i. Determine whether new deployment teams will relieve initial team or search another part of the building.

j. Form officers to establish exterior perimeter.

6. Formation - Team members need to move in combat crouch position (knees slightly bent, back straight, fluid motion), head up and eyes open

(avoid tunnel vision), never moving faster than you can accurately shoot. The rapid deployment team will consist of a minimum of four team members, if possible. If an officer arrives on scene they may have to make entry and neutralize the active threat alone, or with another officer.

a. Point Man carrying ballistic shield (team leaders). using point man's shield for cover.

b. Primary Shooter is directly behind the point man armed with a long gun (preferably using the point man's shield for cover.

c. Secondary Shooter is approximately 8 to 10 feet behind man number two, armed with long gun (preferably) in charge of radio communications, their back will be to the back of the primary shooters and using the rear guards shield for cover.

d. Rear Guard carrying ballistic shield facing opposite direction of team leader, responsible for watching the teams back.

e. These positions can change at any time.

7. Practical Application - Through practical application law enforcement personnel will be introduced to:

a. Rapid deployment formation.

b. Handling of the ballistic shield.

c. Deployment response.

d. Room Clearing.

e. Hallway Clearing.

f. Stairwell Clearing.

g. Officer Down rescue.

8. Officer Down Vehicle Rescue - This will be conducted through Roll Call training sessions and through inter-agency training sessions.

J. Tactical Unit - Unless immediate action is necessary to protect life, the on-duty supervisor shall request the assistance of either the Greensville County Sheriff's Office or the Virginia State Police's SWAT team when confronted with hostage or barricaded person situations. Patrol officers will be concerned primarily with the safety of bystanders, hostages and other police officers. Initially, deployed officers will only attempt to contain the scene until the SWAT team arrives. Negotiations, arrests and ransoms are to be handled by the SWAT team. Patrol Officers must remember that demands for weapons will not be considered.

1. The first officer on the scene must:

   a. Protect life above all else. If there is no immediate threat, contain and stabilize the scene.

   b. Notify the Communications Center of the situation, giving as much detail as possible. The Communications Center will ensure the supervisor is notified.

2. Sufficient manpower shall be summoned to the scene to establish a perimeter to prevent the escape of the suspect and to keep unauthorized persons from entering the area. If there is not enough on-duty Emporia Police officer, the Emporia City Sheriff's Office and Greensville County Sheriff's Office shall be summoned to provide additional officers. Other resources as needed may be summoned to the scene.

3. Citizens in the immediate vicinity of the suspect should be moved to a safe location, provided such movement could be accomplished without exposing the citizens to danger. Any movement that exposes a citizen to the suspect's field of fire must be avoided.

4. When the situation is stabilized and no immediate action is necessary to protect life, the SWAT team shall be requested by contacting the Communications Center, who in turn will contact the Greensville County Sheriff's Office or the Virginia State Police. The Major or the Chief of Police shall have the authority to request that the SWAT team be mobilized.

5. The Communications Center must be informed in detail of the situation and location so a staging area can be determined for the tactical unit.

K. <u>Command of Scene</u>

1. The Major and the Chief of Police will contact either GCSO or VSP for the use of their SWAT teams.

2. The ranking supervisor will establish a command post, out of view of the suspect, for the purpose of coordinating the activities of unit's involved and exchanging information with the Communications Center. The command post may act as a staging area for the response of rescue, fire or surveillance units; for the evacuation of injured persons; for the coordinating of media personnel; and for the briefing and debriefing of units participating in the incident.

3. Overall command of the scene will rest with the ranking Emporia supervisor. If the Major, or the Chief of Police responds to the scene, they may at their discretion assume command or leave command with the on-scene supervisor.

4. Overall command shall extend to the direction of patrol units and their supervisors as well as deputies brought in as support units.

5. The team leader or assistant team leader of the SWAT team will report to the commander of the scene. After being apprised of the teams' capabilities and receiving a plan of action, the incident commander will decide whether or not to commit the team.

6. The decision to use deadly force shall be consistent with General Order 5.1.3, *Use of Deadly Force*.

7. The pursuit of motor vehicles during such incidents shall be in accordance with General Order 22.2.2, *Pursuits of Motor Vehicles*.

L. Stage Negotiation

1. Mobilization of Hostage Negotiator - Any sworn supervisor may request a Virginia State Police Hostage Negotiator by calling the Virginia State Police Communications Center. The on-duty supervisor shall have the Major and the Chief of Police notified as soon as the request for mobilization has been made.

2. Arrival on Scene - The negotiators will report directly to the commander of the scene for a briefing. After the briefing, the negotiators will have exclusive control of communications and control of the suspect.

M. After Action Report- An after action report, in memorandum format, summarizing the hostage/barricade event shall be prepared by the team leader of the SWAT team at the conclusion of the incident. The Chief of Police will request the after action report from the appropriate agency.

27.1.5 BOMB THREATS AND DISPOSAL

A. Officers shall make all possible efforts to prevent the detonation of explosive devices. The safety of citizens and police may require that devices be permitted to explode, if in the opinion of police bomb technicians the time to expected detonation is insufficient to disarm or dispose of the device. A bomb technician from the Virginia State Police should be contacted to respond to the scene as soon as possible, after an explosive device has been found. A bomb technician shall also be notified of bomb threats of a serious nature or detonated explosive devices. Any sworn supervisor may request a Virginia State Police Bomb Technician by contacting the Communications Center of the Virginia State Police.

B. Responsibilities – The EPD shall have command responsibilities and undertake all activities required in cases involving bomb threats or bomb incidents.

1. Assistance may be obtained from the Virginia State Police. If there is an explosion, the Arson Investigation Division of the Virginia State Police will be contacted to respond, as well as the Fire and Rescue Departments. The Bureau of Alcohol, Tobacco, and Firearms (ATF) will also be notified by the

Communications Center with the authorization of the on-duty supervisor. ATF will enforce any applicable federal laws with the cooperation of the police department. If there is any injury or death connected with the explosion, the EPD, with assistance from the Virginia State Police will handle the investigative responsibilities.

2. Assessment of the nature of any device found in the investigation of a bomb threat or bomb incident will be the responsibility of the bomb technician from the Virginia State Police.

3. The disarming and disposal of explosive devices or materials will be the responsibility of the bomb technician.

C. Communications Center:

1. The person receiving the bomb threat shall:

a. Complete as much information as possible on the complaint screen.

b. Attempt to identify the origin of the call and the location of the caller.

c. Attempt to determine the caller's sex, age, voice characteristics, accent, type of language and demeanor.

d. Listen for background noises.

e. Attempt to ascertain the location of the bomb, time of detonation, type of bomb or explosive device, and the physical characteristics of the bomb.

f. Attempt to learn how the caller has obtained information about the case.

g. Notify the ranking supervisor on duty of the call.

h. Notify Fire and Rescue of the call.

i. Preserve all notes taken while speaking with the caller.

2. True bomb threats are usually more detailed than hoaxes; however, there is no exact method for determining authenticity.

3. The person receiving a bomb threat report shall attempt to determine if the complaint is the perpetrator. If the complaint is not the perpetrator, an attempt will be made to obtain information about the perpetrator and how that information came to the attention of the complainant.

a. All bomb threats will be dispatched as a bomb threat and assigned to the nearest available officer.

b. When a bomb threat is received by the Communications Center, the Communications Officer will contact the Fire Department and advise the fire department for notification purposes only. There is no

reason to respond to the scene. If the threat is directed at a school or any other institutional occupancy, the Fire Department will respond and stand by. The police may summon fire units to stand by at any time.

D. Investigating Officer:

1. When officers are dispatched to a bomb threat they shall proceed to the scene immediately. All radio transmissions shall be discontinued within 300 feet of the threatened facility or area.

2. The investigating officer should interview the complainant in order to ascertain any information that might be beneficial in locating the device or determining a time element, which might be vital. If the call was received by communications personnel, the officer shall telephone communications from the scene and interview the recipient of the call.

3. The on-scene supervisor shall coordinate with the facility management to determine the possible need for evacuation. Whether to evacuate or not is a decision to be made by the facility management. The police shall act in an advisory capacity and all information available must be given to the facility management so the decision to evacuate is made based on all the facts. In cases where an explosive device is located, the police shall evacuate all affected personnel. In these instances, the facility management will only be acting in a support role and evacuation will be mandatory.

4. If the facility is to be evacuated, the evacuation routes should be searched prior to use.

5. The investigating officer shall be responsible for an exterior search of areas that are easily accessible. A search of the exterior areas shall be conducted regardless of whether the facility is evacuated or searched. The investigating officer should solicit the help of the management to select their own personnel t assist in conducting the search. The civilian personnel are more familiar with the facility and what may be suspicious in nature.

6. Responsibility for an interior search of a threatened facility will rest with the management of that facility. If the management requests police assistance for an interior search, assistance will be provided.

7. If a bomb dog is to be utilized, the on-scene supervisor must contact the Greensville County Sheriff's Office or Virginia State Police with the request. The threatened facility must be evacuated prior to an interior search by the dog.

E. Search Procedure - The following search guidelines and procedures should be addressed with search personnel during a briefing prior to beginning a bomb search.

1. If time is an element of the threat, searching should be discontinued 30 minutes prior to the time of detonation and not resumed until 30 minutes thereafter.

2. When possible searchers should work in pairs to ensure a thorough inspection.

3. The search should begin on an outside perimeter and work toward the inside. Once inside, the search should begin at the lowest floor level and work up to the top floor. Utility and service areas will be considered prime target areas for suspects that want to shut down a business.

4. All search personnel should look for anything unfamiliar or out of place. Suspicious or unfamiliar packages or containers should not be touched or disturbed.

5. Elevators should be run through at least one cycle. This may prevent injury if an explosive device is set to be activated by the action of the elevator.

6. If the building or area searched fails to disclose any suspected devices or bombs, the decision to allow employees to return to work areas rests with the facility management. *No officer will state to anyone that no explosive device or bomb exists.*

7. When a device is located, a command post should be set up at least 300 feet from the device. The command post must have the capability of communicating with all involved personnel and the decision – making authority to bring the incident to an efficient, safe conclusion.

8. The investigating officer and support units will be responsible for evacuating the immediate area in which the device is located. A minimum distance of evacuation will be 300 feet. Officers will be posted by the commander of the scene along a perimeter to keep all unauthorized persons out of the area.

F. Bomb Technicians

1. On arrival, the technician will contact the command post to be briefed.
2. The technician will approach and attempt to identify the device.

3. The technician will contact the command post and an opinion will be given concerning the capability of the device should detonation occur. At this time additional support or evacuation may be requested.

4. When possible, the technician will accomplish the removal and disposal of the device. The method used will be the technician's responsibility.

5. If it is deemed impractical by the technician to remove the device, the technician will contact another agency equipped to do so.

6. When the removal of the explosive device has been accomplished, it will be taken to the nearest preselected safety area by the technician. Deteriorated or homemade chemical explosives which the technician determines to be unstable will be taken to the nearest preselected safe area and destroyed immediately.

27.1.6 SPECIAL EQUIPMENT INSPECTION

A. The Major shall ensure that equipment to be used in support of the critical incident plan will be inspected quarterly and maintained in a state of operational readiness.

B. The Support Division Commander will ensure that equipment to be used in support of the Emergency Operations Plan will be inspected monthly and maintained in a state of operational readiness

27.1.7 DISASTER/UNUSUAL OCCURRENCE PLAN

A. This agency is included and will adhere to Emporia City's Emergency Operations Plan for the "All Hazard Plan".

B. The Emporia City Emergency Operations Plan is accessible to all members of the police department.

27.1.8 EMERGENCY MOBILIZATION

A. The Police Department's EMP provides for a planned response in the event of occurrences where additional manpower may be required. This plan includes provisions for the following:

1. Communications;

2. Alert stages;

3. Primary and alternate assembly areas;

4. Equipment distribution;

5. Special task force activation;

6. Key personnel designations;

7. Coordination with Emergency Management;

8. Transportation requirements;

9. Management control measure;

10. Rehearsals.

B. For the purpose of the EMP, there are five alert stages of activation. It will be the responsibility of the on-duty Patrol Section Supervisor to implement the EMP. In the event that he is unable to perform his assigned duties, the responsibility will fall to the next highest-ranking Patrol Squad member on duty at the time of the emergency. The five alert stages are as follows:

1. Alert Stage One - Potential threat situation. In this situation the on-duty patrol squad supervisor is confronted with a potential threat that requires that he hold over on-duty patrol personnel and support personnel.

2. Alert Stage Two - This is a situation that requires more personnel than are on duty. In such event, the on-duty patrol squad supervisor will assess the amount of manpower needed and notify the Communications Center. If in the event contact cannot be made with Communications Center, the patrol squad supervisor will institute the Department's call back plan himself using cellular telephone, radio and any other means to accomplish notification. Notification will be made in the following order based on need and availability:

   a. Next due oncoming squad supervisor

   b. Supervisors of squads on scheduled days off

   c. Last off going squad supervisor

   d. Criminal Investigations Section

   The Major will be notified for Alert Stage 2 activation and will assess the situation and make notification to other Administrative staff as needed.

3. Alert Stage Three - This is a situation that requires maximum manpower allotted to the Patrol Section. Notification will be made as outlined in Alert Stage 2, but to include the Major and Chief of Police.

4. Alert Stage Four - This is a situation requiring the response of all Police Department personnel. Notification procedures will be the same in Alert Stage 3.

5. Alert Stage Five - This is a situation that cannot be handled by this Department alone and will require the implementation of the Mutual Aid Agreement.

C. In the event that this plan needs to be activated, the Communications Center will make the necessary notifications as detailed above. It will be the responsibility of the supervisor notified to make contact with their subordinates.

D. It shall be the responsibility of the Major to provide, on a monthly basis, a current updated personnel roster to selected components of the Department. A

current copy is maintained 24 hours a day in Communications. Each supervisor shall maintain a current list of telephone numbers and addresses of his subordinates.

E. During any of the alert stages, the on-scene commander may direct that a "stand-by" status be initiated through the call-out sequence. This action will place sufficient units in a ready mode should the need arise.

F. The primary assembly area for those contacted will be the Police Department. In the event that use of the primary assembly area is not feasible, the alternate assembly area will be the Greensville County Rescue Squad.

G. Responsibility of field operations to include, but not limited to, the establishment of a command post, a staging area, and a perimeter with a designated point for ingress and egress rests with the ranking on scene patrol squad supervisor. Upon the arrival of higher- ranking Patrol Section Supervisor, the highest-ranking member will assume command. He will remain in command unless specifically relieved by either Division Commander, Major or Chief of Police. The on-scene commander will determine what if any additional equipment is needed based upon his analysis of the situation. Responding members will be advised to obtain the needed equipment prior to responding to the scene.

H. Equipment not readily available at the Police Department will require that the Major, respond to issue such equipment from the Police Department property. In the event that additional needed equipment is not available within the City of Emporia, other jurisdictions may be contacted.

I. In addition, the administrative assistant to the Chief of Police will provide food, drink, and toilet facilities during incidents requiring such activity. The Chief of Police, or Major will be notified of any such requests for this service. They will cause a call-out of designated personnel within civilian personnel to assist with the function.

J. All Police Department vehicles will be used as needed. All other City vehicles may be used as a resource.

K. Special units will be activated in accordance with Police Department guidelines.

L. All Special Task Force activations will be initiated by the Chief of Police.

M. An emergency mobilization rehearsal will be conducted annually throughout the Police Department. The rehearsal will not involve an actual response of personnel, but will include an estimation of time needed to respond to a predetermined location. The results will be documented and forwarded to the Chief of Police through the chain of command. The Major is responsible for such rehearsals in their respective commands as indicated below:

1. Operations Division

2. Support Division

N. Whenever the EMP is mobilized, the City of Emporia Emergency Management Director and Coordinator shall be notified.

O. It would be most difficult, if not impossible, to write an EMP that would cover every possible scenario. Therefore, members must, of necessity, exercise their individual intelligence and discretion.

P. The on-duty supervisor shall notify the Chief of Police and Major of any unusual or emergency occurrence, at the time of the occurrence or as close thereafter as possible. The chief of police or Major will at his/her discretion, notify or have notification made to other personnel for immediate response or stand-by duty.

Q. The Chief of Police, in conjunction with the Emergency Operations Director and Coordinator, will contact personnel to evaluate the manpower that could be assembled for unusual or emergency occurrences. A report will be forwarded to the chief.

27.1.9 INCIDENT COMMAND SYSTEM

A. Incident Command System (ICS)

The ICS will be utilized if circumstances dictate the necessity of expanding personnel and resources beyond the scope of the first responder. ICS is the combination of personnel, procedures, equipment, facilities, and communications operating within a common organizational structure, and the responsibility for the management of assigned resources beginning with the first responder. ICS develops in a modular structure from the bottom up with command responsibility placed on the first responder. ICS must be applied to the global aspect of emergency management, such as capture of suspects, evacuations, media contacts, and crowd control and scene security.

B. Incident Command System Structure

1. The ICS develops in a modular structure based upon the nature of the incident. Only in rare cases is the entire Department mobilized for one incident. The Department approved ICS structure will build from the bottom up with the initial responsibility and performance placed on the first responder, who often assumes the first role as IC or agency representative. The specific organizational structure that may be established for any given incident will be based upon the management needs of the incident. The first responder/IC, regardless of professional rank, has the latitude and authority to assign any person to any assignment deemed necessary to deal with a particular critical incident.

2. In the event another entity has incident command responsibility for an unusual occurrence, the first law enforcement responder shall assume the duty of agency representative. When another entity has responsibility of

the incident command, this Department's agency representative will not assume the authority of an IC. However, the Department and all employees shall recognize the authority of the agency representative in making all policy decisions, as well as possessing supervisory authority over all Departmental activities, associated with the occurrence. Working in partnership with the other Incident Command Structure, the agency representative shall direct all law enforcement related functions (similar to the authority of an IC) using approved ICS principles.

C. ICS Personnel - Based upon many unforeseen factors, some of which are individual levels of professional expertise, physical location at the time of the critical incident and the absolute need to ensure sound incident command practice, personnel must be prepared to function at any level of ICS.

1. Unless specifically ordered by the incident commander (IC) to respond to a critical incident that is reasonably considered to be outside the boundaries or scope of an employee's duty assignment, all personnel must maintain their current assigned duties or posts until directed otherwise. Abandoning assigned duty posts in order to respond to a critical incident outside their respective duty assignment only leads to a breakdown in the ICS and loss of order among responders and will not be tolerated. Officers' actions should be directed by the IC.

D. ICS Function - The ICS implements the design elements through an expandable management organization that eliminates voids and redundancies in assignments and is portable. The ICS can be used to manage planned events or unexpected emergencies. The incident management tasks fall into five functions. These are included in the ICS organization as: (1) Command, (2) Operations, (3) Planning, (4) Logistics, and (5) Finance.

1. Command Function- The command function has overall responsibility for a situation. The command function normally begins with the first officer or supervisor on the scene. As the scene grows and/or resources arrive, the command function may be transferred to greater levels of command and accountability. Under ICS protocols, command may be a single Incident Commander or a unified command. Most police specific incidents within the city limits will be under a single incident commander. In less complex incidents, the Incident Commander may serve multiple roles including command, operations, logistics, planning and finance. Without exception, the IC is responsible for all activities associated with the critical incident to include the final authority on all aspects of operations, planning, logistics, and finance. The command function has direct supervision over all other function officers; in particular, safety, public information dissemination, associated collateral duties at medical facilities, government buildings and any liaison to other responding supporting agencies. The Command function is responsible for addressing:

a. activating the Incident Command System;

b. establishing the command post;

c. initiating the notification and mobilization of additional agency personnel;

d. obtaining support from other agencies;

e. establishing a staging area;

f. providing public information and maintain media relations;

g. maintaining the safety of all affected personnel;

h. ensure that an after action report is completed;

i. The logistics officer is also responsible for staging and has the authority to appoint a staging officer, if necessary. Staging includes managing and organizing all staging areas for all disciplines responding to critical incidents. Staging areas are maintained for collection of all personnel and resources until the staging officer allocates them to a particular assignment. The staging officer will assign each affected personnel one of three stage conditions: (1) assigned, (2) available, or (3) out of service.

j. The IC may assign a person to be the liaison officer who will be responsible for organizing and briefing staff identifying assisting agency/jurisdictional representatives and contacting them, and monitor the involvement of assisting agencies.

(1) Subordinate Staff - The IC may assign personnel to serve in the following capacities:

(a) Safety Officer - who will be responsible for developing and recommending measures to the IC for assuring people's health and safety and to assess and/or anticipate hazardous and unsafe conditions.

(b) Public Information Officer - who will be responsible for the release of information and rumor control and will follow the guidelines set forth in Chapter 27 of the General Orders Manual. Civilian personnel directed by the PIO may be staffed at the Police Department as a community relations contact to answer calls from the community concerning the event.

(c) Hospital Officer - who will be responsible for coordination of all Department activities at Southern Virginia Regional Hospital or other medical facility, including but not limited to the management of employee-related injuries and casualties. The hospital officer reports

directly to the IC and works in close partnership with the Chief of Police during cases of employee injury or death.

2. Operations Function-The Incident Commander will assign an employee to perform the operations function. The operations function is responsible for the tactical operations at an incident. Primary responsibilities of the operations function are:

   a. coordinating law enforcement related tactical and strategic plans;

   b. directing and controlling traffic;

   c. establishing perimeters;

   d. coordinating post-incident investigations;

   e. conducting evacuations;

   f. maintaining the command post and scene security;

   g. providing for detainee transportation, processing, and confinement;

   h. The operations officer may request additional resources and revise plans as necessary with the knowledge and approval of the IC;

   i. Operations will be responsible for handling or assigning duties of the Headquarters Officer;

   j. This person is responsible for coordinating operations in the Communications Center, managing security and operations for all government buildings, managing security and operations at the Police Department;

   k. Serve as advisor to the IC in making policy and deployment decisions through the duration of the critical incident;

   l. Operations will be responsible for handling or assigning duties of the Investigations Officer. This function is responsible for the investigation and case filing of any criminal conduct from action at the scene of a critical incident. Other responsibilities include the collection and preservation of evidence, gathering of intelligence information, investigating the use of deadly force and maintaining and preserving the complete criminal case file.

3. Planning Function-The Incident Commander will assign an employee to perform the planning function. The planning function is responsible for providing planning services for an incident. In most situations, a thorough operations plan and incident briefing will fulfill the planning function

requirements. In others, the designated incident commander or supervisor can fulfill the duties of the planning function. For incidents that are geographically large, temporarily extended, or otherwise complex, a separate planning function may be necessary to ensure the availability of resources needed to sustain operations. The planning function is responsible for the following:

a. Preparing a documented action plan for the incident;

b. Collecting, evaluating and disseminating intelligence/information within the organization;

c. Accounting for the organizational structure of response and the status of resources deployed;

d. Prior to deployment of a civil disturbance personnel will be identified on the back of their helmets or uniforms with their call sign number for identification purposes.

e. Providing information about the current situation and predicts the probable course of incident events;

f. Preparing contingency plans to implement in the event of unforeseen events requiring a change in response;

g. Determining the need for any specialized resources in support of the incident;

h. Overseeing the preparation and implementation of post-incident demobilization.

i. The agency will participate in a Continuity of Operations Plan/Continuity of Government Plan in accordance with the City of Emporia's Emergency Operations Plan.

4. Logistics Function- The Incident Commander will assign an employee to perform the logistics function. The logistics function is responsible for providing services that support the operational activities of an incident. A separate logistics function is generally not necessary on operations of shorter duration and can be included in the operational planning. However, in more complex incidents and incidents of a longer duration, the logistics function is responsible for the following:

a. communications;

b. transportation;

c. medical support;

d. specialized teams;

e. providing/obtaining supplies;

f. incidental equipment needs and items;

g. provides food and refreshments;

h. temporary restroom facilities, break areas, services and material in support of all personnel deployed at a critical incident;

i. This person may be required to make emergency purchases through outside vendors.

5. Finance/Administration Function-The Incident Commander will assign an officer to perform the finance/administration function during an incident. The primary responsibility of the finance/administration function is the management of the financial needs of an incident. Most incidents will not require a separate finance/administration function. The Incident Commander will generally ensure most finance/ administration duties, including recording time and expenses, and documenting injuries or liability issues, are accomplished. The Chief of Police, Major and Administrative Assistant are issued City of Emporia credit cards and are authorized to make purchases within established limits as necessary in emergency or exigent circumstances. The Financial function is responsible for the following:

a. recording and maintaining required personnel time and other employment related records;

b. procuring additional resources;

c. recording expenses;

d. documenting and preparing all employee injury claims;

e. documenting liability issues;

f. preparing appropriate reimbursement documents, if applicable;

g. coordinating for employee injury and death compensation;

h. setting up separate private and public accounts to receive money on behalf of injured or killed employees;

i. The Finance Unit may assign a Family Liaison, who is responsible for managing the affairs of any Department employee who is severely injured, incapacitated or killed in the line of duty, to include liaison for a decedent's

beneficiaries. The family liaison works in close partnership with the Chief of Police and may work independently of an IC based upon concurrent circumstances.

F. Authority - The circumstances of the event will determine which entity will have responsibility/authority over the situation.

1. The Emporia Police Department will assume responsibility for the following functions:

a. Incident Scene Stabilization;

b. Traffic Control;

c. Hazardous Device Incidents;

d. Hostage Negotiations;

e. Evidence Collection;

f. Armed Tactical Intervention;

g. Criminal Investigations;

h. Incident Scene Security;

i. Victim Services;

j. Evacuations;

k. Crowd Control;

l. Terrorist Incidents;

m. VIP Visits, such as Federal dignitaries, heads of state or other elected officials;

n. *In these situations, Volunteer Fire Department should provide an agency representative to consult and advise the law enforcement IC until a future transfer of command is appropriate.*

2. Other agencies declaring jurisdictional control. If Federal or State enforcement agencies declare their intent to control a situation, that Department's assigned IC shall assume responsibility of the situation and become the IC. The Emporia Police Department will assign an agency representative and make every attempt to provide the controlling agency with resources and personnel to assist with the situation.

G. Responsibility of the First Responder/Incident Commander

1. Determine Overall Priorities. The first responder/IC must assess the whole of the incident and immediately develop a response plan based upon the following priorities:

    a. First Priority – Tactical intervention into the incident is initiated when a definite interaction with readily identifiable suspects is required to neutralize the incident or prevent additional victimization. The first responder's mission is to prevent a person or thing from being an active threat, decreasing the possibility of further injuries or deaths. Evacuations may be necessary to achieve this priority; however, evacuations are secondary to the eradication of active threats.

    b. Second Priority – Stabilize the incident to prevent any threat escalation. Establish a perimeter.

    c. Third Priority – Protect property.

    d. Fourth Priority – Establish the Incident Command System to manage all deployed and responding personnel and supplies.

    e. Fifth Priority – Facilitate any criminal investigation.

    f. Select a Strategy. Every incident requires a documented action plan.

    g. Plan for joint coordination with other responders and agencies.

    h. If necessary, activate appropriate tactical response resources: SWAT team, Forensics, Bomb Disposal through the Virginia State Police, Dive Team through the Virginia State Police.

    i. Maximize the use of all available resources. All on scene personnel must be assigned a task or returned to the staging area.

2. Managing Disorder - Critical incidents must be managed by a sense of order, and in most cases, the first responder/IC must achieve order from chaos before any life safety or incident stabilization can occur. Failure to establish order immediately upon arrival to a critical incident will cause substantial problems in bringing the crisis to a successful conclusion. The first responder/IC must first establish immediate control over all public safety responders, who, in turn will assist in gaining control over the general public.

3. After-Action Report

    a. Situations Requiring an After-Action Report - The final IC (or highest-ranking EPD official if incident command was performed by

another agency) shall direct the preparation and submission of a Departmental after-action report following every incident listed below:

1. Barricade incidents;

2. Hostage incidents;

3. Large-scale protests, demonstrations, riots and/or acts of civil disobedience;

4. Large-scale, pre-planned events;

5. Incidents or events involving a joint or coordinated response by EPD and one or more other government agencies (law enforcement, fire, military, school, public works, etc.)

b. Content of the Report - If an after-action report is submitted, that report shall be forwarded to the Chief of Police, and shall:

1. Describe the facts and circumstances of the incident.

2. Describe the Department's response, including all significant assignments, actions and command decision (including a diagram or diagrams of the ICS organizational structure).

3. Describe the actions or assigned duties of other agencies involved in the incident (if known), and also describe the command interaction between EPD officials and the officials of other agencies.

4. Critique or evaluate the effectiveness of the Department's performance, including that of the ICS component

H. Training

1. Field Training:

a. This directive and other appropriate ICS material shall be taught during an officer's field training program. The ICS aspect of the training shall be documented in applicable training forms.

2. Annual Training:

a. The Emporia Police Department will conduct documented annual

training on the Agency's All-Hazard Plan, to include the Incident Command System for all police department personnel.

3. Biennial Training:

   a. The Emporia Police Department will conduct tabletop or practical exercises if resources are available on a biennial basis on the Department's All-Hazard Plan and the Incident Command System. If a practical exercise is conducted it would be in conjunction with other agencies in the community, or in-house only to prepare for an actual up-coming event.

4. Crowd Control Training

   a. The Emporia Police Department will conduct in-house training on crowd control through the use of the Power DMS training module.

27.2 SPECIAL OPERATIONS

27.2.1 VIP SECURITY (VERY IMPORTANT PERSON)

A. All requests for special security for any dignitary, famous personality, notorious person or any other person in need of special security will be directed to the Operations Division Commander. The Operations Division Commander will meet with the security representative for the VIP and prepare the necessary plans for security provisions for the visit. Visits are categorized into three types:

   1. Private visit with no or limited public activity -- requires little or no police security.

   2. VIP known by name or position, but not by physical presence -- requires little security prior to appearance, considerably more after appearance.

   3. Recognizable VIP making public appearance -- police s security required.

B. The Operations Division Commander may designate an officer to coordinate and supervise the VIP visit. Security provisions by the officer in charge of the VIP visit may include:

   1. Planning for and appropriation of the necessary equipment to provide the proper security. Vehicles, weapons and bullet resistant vests for officers and the VIP security personnel will be planned for by the officer in charge of the detail.

   2. Planning and reconnoitering travel routes with at least two alternate routes to determine the safest, most expedient route.

3. Advanced on-site inspections including an aerial overview, when available, with the Virginia State Police helicopter. A final inspection of the area which the VIP will occupy just prior to the VIP's arrival.

4. Research to obtain information concerning possible sources of trouble or problems. Threats received or persons who may cause problems shall be investigated prior to the VIP arrival.

5. Contacting the Greensville County Sheriff's Office and the Virginia State Police if requests for additional police personnel will be necessary. The Greensville County Sheriff's Office and the Fire and Rescue Departments will be notified of a VIP visit to place them on a stand-by status in case of medical or police emergencies.

6. At least one member of the VIP staff should have access to police communications.

7. The supervisor in charge of the event will be responsible that all officers have identification for the event. Officers wearing the uniform of the day will be easily identifiable. Officers wearing civilian clothing shall keep all police department equipment out of sight. Officers wearing civilian clothing will be identified by their badge of authority and identification card or lapel pins being worn.

27.2.2 SPECIAL EVENTS

A. Special events may include parades, entertainment/sporting events, highway construction/maintenance activities, picketing/demonstrations, etc.

B. The Operations Division Commander will be responsible for the special event detail and will include Communications Center personnel if they are needed for the special event.

1. The Operations Division Commander shall develop a written plan to be submitted to the Chief of Police at least 14 days prior to the event. This plan will be submitted through the chain of command for approval. That plan may include:

a. Designation of the person or position responsible for the coverage of a given event.

b. The Operations Division Commander may recognize that the special event is in need of another Communications Officer to handle only the radio traffic for the Special Event. The assigned Communications Officer will be the assigned coordinator for the special event.

c. If the Communication Officer is needed to participate in the special event, then it will be noted in the Special Event Plan of Action.

d. Written estimate of traffic, crowd control, and crime problems expected for any given event.

e. Contingency plan for traffic direction and control.

f. Use of any other specialized assignments or personnel if needed.

g. Logistical requirements that will address issues such as the number of barricades, position of barricades, fixed post assignments, traffic and pedestrian flow, and any other relevant considerations that will assist in an effective and efficient operation, and relief of personnel, meals or refreshments.

h. Meet with any outside committees and other City departments (i.e., Public Works) to coordinate plans and exchange information.

C. After Action Report - An After Action Report summarizing the special event shall be prepared by the supervisor or officer in charge at the conclusion of the incident and will be submitted to the chief for review.

27.3 HOMELAND SECURITY

27.3.1 TERRORISM

A. All Emporia Police Officers and civilian employees shall remain alert for suspicious person(s) and/or suspicious situations with potential terrorism significance. Officers on routine patrol shall be alert for suspicious person(s) or situations whose activities suggest a potential link to terrorism. Patrol Officers should familiarize themselves with locations of unattended water facilities, power generators, railroads, and other potential terrorism targets within their assigned areas and shall periodically check these facilities during their tour of duty.

B. Terrorism Defined:

1. Terrorism involves acts committed against individual persons and/or the general public, designed to intimidate, harass, and otherwise cripple or eliminate opposition or resistance to political, mercenary, or commercial goals.

2. A precise definition of all of the types of behavior that qualify for such scrutiny is impossible, given the inherent difficulty in predicting terrorist

acts, however, the following are among those likely to warrant an officer's attention.

a. Persons with an unusual or inexplicable interest in, or presence near, military facilities, secure pharmaceutical facilities, government buildings, utility assets, or other critical infrastructure.

b. Persons in possession of sophisticated or unusual weaponry, explosives, or suspected biological or chemical agents.

c. Persons in possession of maps, engineering blueprints, photographs of government facilities or significant infrastructures, binoculars, cameras, or unusual communications equipment.

d. Persons who express or imply threats, profess agreement with terrorist aims, or whose overheard conversations suggest possible involvement with terrorist planning or activity.

e. Officers are cautioned that most of the above factors, by themselves, do not imply terrorist involvement.

C. Types of Terrorism

1. Chemical Incident- Occurs when chemical agents are intentionally released to produce death, injury or terror.

2. Biological Incident – Involves the use of micro-organisms or toxins derived from living organisms to produce death or disease in humans, animals, or plants.

3. Radiological Incident- Involves the release of ionizing radiation into the atmosphere such as from a "dirty bomb" or other radiological dispersion device.

4. Nuclear Incident- Involves the detonation of a nuclear device and results in an unrestrained fission reaction that causes blast damage.

5. Explosives Incident- Occurs when the detonation of explosives causes death, injury, and/or terror.

6. Hostage Taking Incident- Involves the taking of hostages to further terrorize the community and attempt to force government or private action.

7. Incendiary Incident- Involves intentional ignition of combustible materials designed to start fires.

D. Control Zones

1. Cold Zone- Represents the outer boundary of an emergency incident and the area of least potential for containment exposure to workers and others. This area is often intended as a buffer to keep non-responders at a safe distance away from the incident and is the closest police officers should come to the emergency incident due to the lack of proper protective gear.
2. Warm Zone- Some potential for containment exposure to workers and also contains the decontamination area. The decontamination activity is located upwind of the exposed area. Responders must wear protective equipment while in this area.

3. Hot Zone- Contains the greatest degree of threat to responders and requires the highest level of personal protection equipment. This area must be clearly marked. with caution tape or other obvious barrier by properly equipped personnel. Exit from the Hot Zone is accomplished only after thorough decontamination.

E. Because Emporia Police Officers are only trained on hazardous materials awareness and do not have the proper protective gear for CBRNE incidents, officers shall not attempt to approach the scene of a suspected chemical, biological, radiological, or other hazardous area. To the extent possible, officers should remain upwind at a distance of at least 500 feet and wait for response from the Greensville Volunteer Fire Department, thus avoiding exposure of all gases, fumes, and smoke.

F. Hazardous material situations are usually under the direction and control of the Greensville Fire/Rescue Departments; therefore, Emporia Police Department personnel shall coordinate their efforts with Fire/Rescue personnel.

27.3.1 TERRORISM INFORMATION SHARING WITH OTHER AGENCIES

A. In a pro-active effort in the pre-emption of terrorist incidents. The Department maintains liaison with the FBI, the Joint Terrorism Task Force, and the Virginia State Police to exchange information relating to terrorism. This information can be relayed through teletype, information received at a regional Joint Terrorism Task Force location, and/or by e-mail received from the Virginia State Police's Virginia Fusion Center.

B. The Emporia Police Department receives terrorism intelligence briefings from the Virginia Fusion Center. These briefings contain the threat advisory level set by the United States Department of Homeland Security's Science and Technology Division for events involving chemical, biological, radiological, and nuclear weapons.

27.3.2 PROCEDURES FOR REPORTING AND SHARING TERRORISM INFORMATION-

This Department is committed to reporting and relaying terrorism intelligence or information to the FBI and Virginia State Police. When an officer of our Department receives information or intelligence regarding a terrorist threat, that officer will:

A. Complete an Incident Report documenting all information/facts received.

B. If the information is of a high risk nature, the on-duty supervisor will contact the Communications Center, who will contact the Virginia State Police Terrorism Tip Hotline, housed at the Virginia Fusion Center.

C. If the information is of a low risk nature, then the information will be passed to the Department's member of the Joint Terrorism Task Force to be disseminated at their next scheduled meeting.

27.3.3 TERRORISM AWARENESS

A. The Emporia Police Department is committed to providing quality service to the citizens of the City of Emporia, and may, on occasion, give public presentations to government officials, civic organizations, Neighborhood Watch groups, and/or any other group requesting information on the topic of terrorism.

B. Any release of information involving possible terrorist activity will be processed through the Chief of Police who will release the information in accordance with Chapter 30-Public Information of the Emporia Police Department General Orders Manual.

C. Type of Terrorism Advisories

The Virginia Fusion Center is coordinated with the Federal Homeland Security Advisory System and provides a means to inform law enforcement agencies in Virginia of the relative level of threat of a terrorist act. The National Terrorism Advisory System (NTAS) has replaced the color-coded threat scale and is comprised of the following threat conditions or levels:

1. Bulletin- This describes the current developments or general trends regarding threats of terrorism.

2. Elevated Alert-Warns of a credible terrorism threat against the United States.

3. Imminent Alert- Warns of a credible, specific and impending terrorism threat against the United States.

28.1 ADMININISTRATION/OPERATIONS

28.1.1 INTERNAL AFFAIRS FUNCTION:

A. Internal Affairs is established to ensure that the integrity of the EPD is maintained through an internal system where fairness, justice and objectivity are maintained by impartial investigations. These investigations are to clear the innocent, establish guilt, and facilitate fair, suitable and consistent disciplinary action.

B. The EPD will investigate all verbal and written allegations, including anonymous complaints, of misconduct to the fullest extent.

C. Complaints may originate from the public or internally.

D. All complaints will be forwarded to and reviewed by the Chief of Police. Once the complaint is reviewed by the Chief of Police, he/she shall classify each complaint into two of the following categories: Major Complaints or Minor Complaints

1. Major Complaints - All Major Complaints will be investigated by the Internal Affairs Unit. Prior to instituting any administrative investigation into criminal or potential criminal activity, consideration must be given to preserving the opportunity to proceed with a criminal prosecution. If a criminal prosecution is anticipated, then the criminal case will take precedent. Complaints that will be classified as Major Complaints are as follows:

    a. Complaints alleging serious misconduct shall be classified as a Major Complaint.

    b. Complaints of misconduct whereas if sustained, then probable outcome would be punitive in nature.

2. Minor Complaints - Minor Complaints are complaints that allege minor employee misconduct or poor job performance. Minor Complaints may be investigated by supervisory or command personnel. Minor complaints are such alleged activity such as, but not limited to:

    a. General complaints concerning minor infractions of regulations or the manner in which employee duties are performed.

    b. Complaints relative to differences of opinion between and employee and a citizen arising from the performance of duty.

    c. Complaints concerning the manner or method in which an employee investigated a crime, traffic accident or other service incident.
    d. Complaints concerning an officer's authority to arrest or the propriety of a particular charge.

3. Supervisors who are assigned to work a minor complaint will submit a memorandum to the Chief of Police of his/her findings, any supporting documentation, and recommended action taken on the employee. Supervisors shall also include in their memorandum one of the following dispositions as set forth in *General Order 28.1.9.*

28.1.2 INTERNAL AFFAIRS FUNCTION RESPONSIBILITY

A. The Internal Affairs function will be the responsibility of the Chief of Police. The Chief of Police may assign the Major or either of the Division Commanders to investigate all complaints that are classified as Major Complaints. On matters involving internal investigations, the Internal Affairs Officer will report directly to the Chief of Police.

28.1.3 NOTIFICATION OF THE CHIEF OF POLICE

A. Upon receipt of an allegation of employee misconduct, the Chief of Police shall issue a control number. If an allegation of misconduct is serious in nature, the supervisor receiving the complaint shall notify both Division Commanders, Major and the Chief of Police immediately.

28.1.4 CONDUCT OF INVESTIGATION

A. The EPD will conduct appropriate investigations of all complaints against the Department or its employees. Deliberately false or malicious accusations will be fully investigated to protect the integrity of the Department and its employees. Citizens will be assisted in making a complaint and will be provided with a Citizens Complaint Form. Supervisors are encouraged to try to resolve minor complaints by reviewing the information readily available and offering a professional explanation about the officer's actions. If the complainant is satisfied with the informal response, no further action is required.

B. All complaints, major and minor, should be completed within 30 days of receipt, unless circumstances develop which necessitate additional time to ensure a thorough investigation. If the investigation extends beyond the 30-day limit, the investigating official shall notify the complainant of the case status.

C. Upon completion of an internal investigation, if the Internal Affairs investigator determines the complaint may warrant any form of discipline, the Internal Affairs investigator will then forward the findings to the Chief of Police for final determination.

D. Upon completion of a sustained Minor Complaint investigation, the investigating supervisor will provide the Chief of Police with the results of administrative investigation for review.

E. If the Minor Complaint is classified other than sustained, the investigating authority will forward their memorandum as stated above to the Chief of Police stating the disposition.

F. If during an internal investigation it is clear the complaint is unfounded, the investigation shall be terminated. All relevant information supporting the termination of an investigation shall be documented in the investigator's report and forwarded to the Chief of Police.

G. When an investigation is sustained and discipline rises to a punitive level, the Chief of Police or designee will present the memorandum to the City Manager's Office for inclusion to the employee's personnel folder.

H. The Chief of Police will be advised by the investigating officer of new information developed during the course of an internal investigation, which may necessitate reassigning the employee. The reassignment may be to duties that would ensure closer supervision or separation from the public or other employees, or for relieving the accused employee from duty or placing the employee on administrative leave.

I. When there is sufficient evidence to indicate that the act complained of is immoral, indecent, involves the physical mistreatment of another person, or when accused employee has consumed intoxicants, the employee may be relieved from duty immediately.

J. When the act complained of is a crime that may have resulted in an arrest if the perpetrator had been a private citizen; the Chief of Police shall be immediately notified. The Chief of Police shall confer with the Commonwealth's Attorney whenever an internal investigation reveals the possibility that an employee is or has been involved in a crime. If it is necessary to obtain an arrest warrant for an employee, the Chief of Police will be notified without delay. If a complainant seeks a warrant for a police officer, the Chief of Police will consult with the complainant and request a delay so that the Department can conduct an internal investigation. If the complainant declines to permit a delay in the issuance of warrant, the Chief of Police will ask the Commonwealth's Attorney for a delay so that the Department can conduct a departmental investigation. If the warrant has already been issued, the officer or employee who has the warrant will notify the Chief of Police. The Chief of Police will notify the Commonwealth's Attorney prior to serving the warrant.

K. The accused employee shall submit a memorandum setting forth their statement of what occurred. In lieu of the foregoing, the investigating authority may take a statement from the accused, which may be recorded, for later transcription. If in the opinion of the investigating authority statements from witnesses would be helpful in the investigation, witnesses will be asked to provide a written narration of the events or be asked to provide a recorded statement. Any questioning of an officer shall take place at a reasonable time and place, as designated by the investigating authority and without jeopardizing the timeliness of the investigation. When possible the employee shall be on duty.

L. The final report of all internal investigations, major and minor, will be in the form of a memorandum to the Chief of Police, and shall include a summary, findings and conclusion. The report shall follow established reporting format for internal investigations. The original complaint will be forwarded to the Chief of Police along with the memorandum. The report shall include:

1. Classification of the allegations.

2. When sustained, a statement of the regulation violated and the nature of the violation.

3. A statement indicating whether there are any violations of a similar nature sustained in the last three years.

M. Final Reports will not be delayed due to pending court action.

N. Individuals conducting internal investigations will not notify the complainant of the results of the investigation. Complainants will be notified of the results by letter from the Chief of Police.

28.1.5 CASE STATUS NOTIFICATION

A. The Chief of Police will send written acknowledgement of receipt of a complaint to the complainant. This letter will include a statement that notification will be made to the complainant after the investigation has been concluded. If after receiving a complaint it appears that the complainant will not be contacted by the investigative authority for a period of time exceeding 30 days; the Chief of Police shall notify the complainant, in writing, of the receipt of their complaint, the estimated delay in processing, and an estimated date for completion.

B. The Chief of Police will send written communication to the complainant of the disposition of the investigation. The degree of specificity of the notification will be at the discretion of the Chief of

Police. If the investigation will take over 30 days to complete, an interim letter will be sent to the complainant.

28.1.6 EMPLOYEE NOTIFICATION OF INTERNAL INVESTIGATION

A. An employee who becomes the subject of an internal investigation shall be notified of the existence of the investigation and the employee's rights and responsibilities relative to the investigation. This notification shall be made by the person conducting the investigation and shall include the nature of the investigation, the name and rank of the investigating officer, and the identity of any other individuals who will be present during questioning. The Notice of Investigation shall be used to make the foregoing notification. Notification may be delayed if in the opinion of the investigative authority, notifying the employee may jeopardize the ability to conduct a thorough investigation. An example when notification may be delayed would be when an investigation requires follow-up such as surveillance, which would be ineffective if the subject of the investigation were notified.

B. Each employee of the Department shall cooperate fully with personnel who are conducting an internal investigation.

C. It is the responsibility of all employees to answer fully and truthfully any question asked by competent authority that pertains to any investigation, possible infraction of law or regulation, or action taken by the employee that may affect the standing or reputation of the Department.

1. Brady Discovery Material

a. Failure to be completely truthful in any Administrative/Internal investigation may result in an additional administrative charge of being "Untruthful" during an Administrative/Internal investigation. If an employee is found to be untruthful in any aspect of the investigation, Brady Discovery material may arise which could affect one's credibility as a City, Commonwealth or Federal Government witness as well as his/her ability to perform the basic duties of a police officer.

b. Discovery of Exculpatory or Impeachable Evidence must be revealed to the Commonwealth Attorney's Office. This information will be forwarded to the Commonwealth's Attorney after substantiation of the charge in accordance with department policy. The Chief of Police will make notification to the Commonwealth Attorney's Office if an

officer is found to be Untruthful in an Administrative/Internal Investigation.

c. The Department will advise the employee that they have a sustained disciplinary history that may impact their credibility as a witness and qualifies as “Brady” material.

d. In addition to the Department notifying the Commonwealth Attorney’s Office the involved officer will be required to notify the specific Commonwealth Attorney who is prosecuting their specific case that they are “Brady Discoverable.”

28.1.7 INTERNAL AFFAIRS INVESTIGATION EXAMINATIONS AND TESTING

A. During the course of an internal affairs investigation, the investigating officer with the approval of the Chief of Police, or in the absence of the Chief of Police, his/her designee may require employees to submit the following examination or testing; except in cases where a time delay would directly affect the outcome of the test such as a test for blood alcohol content. If the Chief of Police is unavailable, the appointed designee shall be consulted.

1. Medical or laboratory examinations conducted by medical health professionals:

a. All employees will be required to submit to testing blood or urine specimens to determine if they are under the influence of drug or alcohol on duty, or in relation to an internal affairs investigation. Sworn employees are covered in accordance with The Code of Virginia, 9.1-501, Conduct of Investigation. The intoxilyzer machine or blood or urine tests may be conducted to determine if drugs or alcohol are present in the employees system.

b. All employees may be required to submit to a psychiatric or psychological examination by a professional licensed mental health professional.

2. Other types of examinations to be administered:

a. In the course of the internal affairs investigation, an employee may be required to be photographed or fingerprinted, participate in a physical line-up, or the investigating officer may utilize a photo line-up for

identification purposes in accordance with General Order 23.2.12.

b. All employees will be required to disclose financial information only when such information is necessary and in accordance with internal affairs investigation. Sworn Officers are covered under Code of Virginia, 9.1-503, *Personal Assets of Officer.*

c. All employees may be required to submit to a polygraph examination that will be administered as an instrument of deception to assist the investigating officer in gathering facts or information in the internal affairs investigation. The department will only utilize a polygraph examiner that is trained and license in the Commonwealth of Virginia.

d. All employees may be required to give an audio or video recording to assist in the identification of the alleged officer or for identification purposes to assist in the internal affairs investigation.

e. All employees may be required to submit handwriting samples or give a voice sample for identification purposes.

28.1.8 RELIEF FROM DUTY

A. Any sworn supervisor may immediately relieve from duty any sworn or civilian employee of subordinate rank, regardless of the organizational assignment of either party, when it appears such action is essential to protect the interests of the Department. Upon taking such action, the supervisor shall immediately notify the Chief of Police or his/her designee. The period of relief shall be for one day according to the City of Emporia's Personnel Policies 6-7. A civilian employee may be relieved from duty by any supervisor, sworn or civilian.

B. A supervisor who relieves from duty any employee shall complete a memorandum setting forth full details of the incident including the date and time of relief and the alleged violation that resulted in the relief. The memorandum shall be submitted through the chain of command to the Chief of Police by the end of the supervisors' tour of duty. A separate memorandum shall be given to the relieved employee prior to departure from duty. This memorandum will describe the nature of the allegation against the relieved employee and serve as a receipt for equipment relinquished. An employee relieved of duty shall

relinquish their issued weapon, credentials and badge. The memorandum shall further serve as notice to the employee that they are relieved of duty and that all police authority is suspended as provided for herein. Copies of theses memorandums shall be forwarded to the Chief of Police.

C. When an employee is relieved from duty all police authority is suspended until reinstated.

D. The Chief of Police, or designee, shall meet with the City Manager to determine if the suspended employee should remain in an administrative leave with pay until the conclusion of the Internal Affairs Investigation according to City Personnel Policies 9-12 on the next business day.

E. The Chief of Police, or designee, will notify the relieved employee of whether they will return to work or be placed on administrative leave with pay.

F. Employees may be placed on administrative leave with pay for up to fifteen workdays for the completion of an administrative investigation. When the fifteen days has expired: discipline must be imposed, the employee must be permitted to return to work pending the outcome of the investigation, or administrative leave with pay must be extended for a specified period of time as determined by the City Manager.

28.1.9 CONCLUSION OF FACT

A. All administrative investigations will be classified as:

1. Unfounded – The allegation is false.

2. Exonerated – The incident complained of occurred, but was lawful and proper.

3. Not Sustained – Insufficient evidence exists to either prove or disprove the allegation.

4. Sustained – The allegation is supported by sufficient evidence. Findings of a sustained violation will result in appropriate corrective measures.

28.1.10 INTERNAL AFFAIRS ACTIVITIES

A. Control Log

1. All investigations will be assigned a control number. This log will capture all Minor and Major complaints. The Chief of Police shall maintain this ledger. The log will list:

    a. Control number.

    b. Name of investigator.

    c. Nature of action taken.

B. The Chief of Police shall supervise all investigations conducted by supervisory personnel. The Chief of Police or his designee shall supervise investigations conducted by the Internal Affairs officer.

C. All complaint records shall be considered confidential. The Office of the Chief of Police shall be the repository of all Internal Affairs records. The Chief of Police, and Support Division Commander shall be authorized to access the records of this section. Once the investigation is completed the Chief of Police will place the completed investigation in a secure area within the Office of the Chief of Police.

D. All complaints and internal affairs investigations against the agency and employees will be stored and maintained in accordance with the Virginia Records Retention Schedule. Hard copy of complaints and internal affairs investigations will be destroyed in accordance with the Virginia Records Retention Schedule; however, the electronic copies of those complaints and internal affairs investigations will remain in the Department's IA Pro software indefinitely.

28.1.11 ANNUAL SUMMARY

A. On an annual basis the Chief of Police will complete a summary of Internal Affairs investigations conducted.

B. Copies of this annual summary will be made available to all employee and the public.

28.1.12 INFORMATION ON FILING COMPLAINTS

A. All personnel shall be familiar with the procedures provided on the Citizens Complaint Form. Department personnel shall give any citizen interested in these procedures a complaint form.

B. **How to File a Complaint.** Citizens are encouraged to contact the Emporia Police Department with any complaint about the actions of police or civilian employees if they believe the conduct was inappropriate or violated the law.

1. Anyone having questions can contact the Emporia Police Department at 434-634-2121 and ask to speak to the on-duty supervisor about the complaint process.

2. The Citizen Complaint form can be obtained in the lobby at the Emporia Police Department at 310 Budd Street.

C. **The Complaint Process.** Every complaint is reviewed and registered by the Chief of Police.

1. Complainant will receive a written communication from the Chief of Police that the Department is in receipt of the complaint.

2. Either the Major or either Division Commander will investigate major complaints while minor complaints will be assigned to a member of the supervisory staff.

3. Investigators will interview the concerned parties and witnesses and gather the relevant information.

4. The completed investigation will be forwarded to the Chief of Police.

5. When the investigation is completed, the complainant will be notified of the disposition of the complaint.

D. **Investigation Outcomes**

1. Unfounded: The investigation indicates the allegation is false or the action did not involve a police employee.

2. Exonerated: The investigation indicates that the incident occurred, but the employee's behavior was lawful and proper.

3. Not Sustained: The investigation indicates that there is insufficient evidence to either prove or disprove the allegation.

4. Sustained: The investigation indicates that the allegation is supported by sufficient evidence to justify a reasonable conclusion of guilt.

a. When a complaint against an officer is sustained, the report is sent to the Chief of Police for the appropriate action. Discipline for infractions can occur in the following manner:

(1) Training;
(2) Counseling;
(3) Verbal Warning;
(4) Written Warning;
(5) Placed on Probationary Status;
(6) Disciplinary Transfer;
(7) Suspension from Duty;
(8) Dismissal from Employment;
(9) Criminal Prosecution.

29.1 INSPECTIONAL SERVICES

29.1.1 LINE INSPECTIONS

A. Policy – The Chief of Police is responsible for establishing and maintaining a system of inspection to obtain the information needed to direct the operation of the office. Although the ultimate responsibility of inspection and controls rests with the Chief of Police, all levels of command and supervision must conduct inspections frequently. The Emporia Police Department is a professional law enforcement agency, and at times visitors, vendors, political and governmental officials may be in the building and it is imperative that the facilities has a neat and professional appearance.

1. The goal of inspection is operational efficiency and effectiveness. Although infractions discovered during the process of inspection should be handled according to policy and the particular circumstances, inspection should not be viewed as a disciplinary process: it should be fair, impartial, and an honest appraisal of efforts. The inspector should have a positive, constructive attitude and make every effort to instill respect for, and understanding of, the inspection process.

B. Purpose – To establish policy and procedures for continuous inspection of the Police Department personnel, resources and operational effectiveness.

C. Procedures

1. Inspection Objectives – The objectives of the inspection process include:

a. To learn whether a task is being performed as outlined and if procedures are being complied with.

b. To learn whether the anticipated results are being accomplished.

c. To discover whether Police Department resources are being used to the best advantage.

d. To reveal the existence of needs.

e. All inspections will be conducted by the supervisor in charge of the particular employee being inspected.

f. Audit inspections for cash funds will be conducted by the Major.

g. The supervisor in charge of the inspection will conduct a follow-up inspection to assure the deficiencies have been corrected within one week of the noted deficiency.

D. Inspection Responsibilities

1. Inspections should be an ongoing process conducted by those in direct command; i.e. those who have the authority to act or require immediate action of subordinates. Ongoing inspection is a duty of all levels of supervision.

2. The Lieutenant or Sergeant shall inspect officers and their equipment during roll call, to include hygiene, weapon maintenance, uniforms and equipment appearance.

3. Employees will respond immediately to correct deficiencies identified during daily inspections.

4. Inspectors will recognize exemplary performance.

5. Inspectors also have the authority to send an employee home to correct a deficiency.

6. Supervisors will correct and document deficiencies and report to the Operations Division Commander.

7. The Operations Division Commander will ensure that corrective measures are taken to repair or replace faulty or aging equipment and will conduct spot checks to ensure that corrective measures have been implemented.

8. If the result of the inspection leads to the employee receiving a commendation, the supervisor will bring this to the attention to the Chief of Police for a letter of commendation.

9. If the result of an inspection leads to the supervisor taking disciplinary action, the Lieutenant or Sergeant will prepare a verbal or written warning to be included in the employee's personnel folder.

10. The following are types of inspections that are required in writing and when:

    a. Inspections requiring a Written Report:
        (1) Vehicle Inspection – Supervisor should complete a monthly vehicle inspection to be turned in with the monthly reports.

(2) Case Investigation Review –

(a) The Support Division Commander will conduct weekly case reviews will supervisors and detectives of the Criminal Investigations Section. The case review should ensure that leads are followed, victims are being contacted and updated on the status of the investigation. The Support Division Commander shall submit a case review report to the Chief of Police on a monthly basis.

(b) The Patrol Lieutenants will conduct a weekly case review of active cases assigned to officers under his command. The Patrol Lieutenant shall submit a case review report to the Chief of Police on a monthly basis.

(3) Personnel and Weapons Inspections- Daily during Line Inspections.

(4) Property and Evidence Room Audit – Conducted on a Quarterly basis by the Major.

(5) Cash Funds – Conducted on a Quarterly basis by the Major

(6) Surveillance Equipment – Conducted by the General Investigations Lieutenant on a semi-annual basis.

(7) Police Bicycles – Conducted on a semi-annual basis by the Operations Division Commander.

(8) In-Car Cameras- Conducted by the Patrol Lieutenant on Sergeants and Sergeants on Officers to review performance during traffic stops on a monthly basis.

(9) Body Worn Cameras- Conducted by the Patrol Lieutenants on Sergeants and Sergeants on Officers to review performance on calls for service and traffic stops on a monthly basis.

(10) Unwritten Inspection- Supervisors are required to conduct periodic inspection of subordinate's work areas and vehicles

30.1 PUBLIC INFORMATION

30.1.1 PUBLIC INFORMATION

A. The EPD was created and exists to serve and protect the public. The Department is responsible to the public and the public has the right to be informed about police activities and operations. A cooperative effort by the police and the citizens must occur to prevent crime and ensure police efforts are effective.

B. News Media - The news media is an important source of information to the public. A relationship of trust, cooperation and mutual respect is essential to reach the common objective of serving and informing the public.

1. The EPD will make information on crimes and other incidents generally available to the news media, unless such information is legally privileged, would violate the Constitutional rights of an accused, or is otherwise specifically prohibited in this order or any other departmental directive. All members of the Department will extend courtesy and cooperation to the media at all times. The Department will disclose information as promptly as circumstances permit. At no time will information be released prematurely or withheld for the exclusive benefit of an individual reporter or segment of the news media, except that specific queries of an exclusive nature will be respected.

2. This order is applicable to all official information of the Department to include statistical data, records, complaints, cases and statements of departmental positions.

3. The Chief of Police, Major and the Division Commanders have the authority to speak publicly on behalf of the Department. Dissemination of public information to the media concerning disasters, unusual occurrences, special events, police operations, investigations and arrest will be the responsibility of the Chief of Police or his/her designee.

4. The Chief of Police or his/her designee will ensure that the following functions are carried out:

a. Assisting news personnel in covering news stories at the scenes of incidents, police arrests and investigations or situations that may involve the communications center.

b. Being available for on-call responses to the news media.

c. Preparing and distributing Department news releases.

d. Arranging for, and assisting at news conferences.

e. Coordinating and authorizing the release of information about victims, witnesses and suspects. The Virginia Freedom of Information Act provides latitude to protect the identities of victims, witnesses and suspects.

f. Assisting in crisis situations within the Department.

g. Coordinating and authorizing the release of information concerning confidential Department investigations and operations.

h. Developing procedures for releasing information when other public service agencies are involved in a mutual effort.

5. The Chief of Police or his/her designee will determine the content of any press release and will be responsible (during normal business hours) to respond to questions or to provide information on current incidents and events. All media sources will be treated equally.

6. **Authority to release official information of any type shall be limited to the Chief of Police, the Major, or the Division Commanders.** Except as noted, no employee shall release any official information to the media without specific prior authorization from one of the information releasing authorities. The Chief of Police shall serve as the primary point of contact for media representatives and may request officers or other employees with firsthand knowledge of a particular police activity to provide that information to the media. While employees are encouraged to comply with these requests, no employee will be expected to provide information to media representatives against their will, unless fulfilling one of the specific information releasing responsibilities defined in the order.

7. The following release of information without prior approval of an information releasing authority is specifically authorized:

a. **In the absence of an information releasing authority, the on-duty patrol supervisor shall provide information to the media in**

accordance with directives promulgated by the Chief of Police.

b. In the absence of an information releasing authority, the senior police official present shall, when possible, provide a brief synopsis of the situation to any media representatives on the scene. **If time permits, the Chief of Police should be requested to respond to the scene.**

C. Release of Information - Although the Chief of Police or his/her designee is the releasing authority, there are occasions (i.e., traffic accidents) where an officer may have interaction with the news media.

1. The following information should be made available to the media in criminal matters, subject to restrictions outlined in this chapter. **Confessions, admissions or statements by arrested persons shall not be released.**

a. The arrested person's name, if 18 years or older, age, sex, residence, or similar biographical information - in the case of juvenile offenders, only the age, sex and general area of residence shall be released.

b. The substance or text of the criminal charges filed.

c. The identities of the investigating and arresting agencies and the length of the investigation.

d. The circumstances immediately surrounding an arrest, including time and place, resistance, pursuit, use of weapons, and nature of any injuries sustained.

e. A general reference to an amount of money taken in any robbery, such as a "small amount" (any information releasing authority may release this based on their discretion).

2. The following items **are not** to be released/made available to the media:

a. Names, addresses or other information which would lead to the specific identity of juvenile offenders.

b. The existence or content of any suicide note.

c. Names and addresses of any crime victim unless authorized by an information releasing authority.

d. Names or other information that would lead to the identity of persons who have attempted to or have committed suicide, unless authorized by an information releasing authority.

3. Home addresses and/or telephone numbers of EPD employees **will not** be released.

4. Non-crime related information in the following categories may be released:

   a. (After review and approval of the Chief of Police and *providing* that the information has been previously released to members of the Department) Organizational or policy changes, providing that the information has been previously released;

   b. Human-interest stories concerning the Department or its personnel;

   c. Accidents, natural disasters, unusual occurrences or other incidents of public interest.

5. Subject to legal restrictions and adequate notification, photographs of newsworthy events may be provided to the media only upon approval of the Chief of Police.

6. When information is released to the media by an employee other than the Chief of Police or his/her designee, that employee shall notify the chief as soon as practical of the content of the material released, who released the material, who received the material, and when it was released.

7. When several agencies are involved with the handling of an incident, the primary agency will be responsible for coordinating the press release. See also 31.1.3, *Media Access.*

30.1.2 POLICE DEPARTMENT-MEDIA INVOLVEMENT

A. Policy Changes Affecting the Media

   1. If a policy or procedural change of the EPD develops that may concern the media, the chief or police or his/her designee shall contact media organizations that the Department is in daily contact with and ensure that media comments or suggestions are analyzed prior to the implementation of the new policy or procedure. The chief or his/her designee will be responsible for encouraging media participation in the development of improved police-media relations.

B. Media Involvement Affecting Public Education

1. The Police Department is committed to partnering with the local news media in regards to public education. The Police can receive input from the media that can lead to more effective working relationships between the department, the community and media personnel.

2. The news media is a valuable resource that can assist the Police Department with educating the public on Police Department and E-911 Communications policies and procedures and public safety responses

30.1.3 MEDIA ACCESS

A. Code of Virginia 15.2-1714, *Establishing Police Lines*, shall govern all Department actions regarding media access.

B. All members of the Department shall extend every courtesy to media representatives who are actively covering an incident at a scene. These courtesies shall include permission of closer access to the scene than that which may be granted to the general public. Media vehicles and equipment may be located at points nearer the incident scene than permitted by normal traffic control; however, such locations shall not interfere with police operations or the general flow of traffic.

C. Evidence may be covered or removed, witnesses removed and other precautions taken to preserve the scene or protect the integrity of the investigation prior to admitting media to a scene. Members of the Department will take no action to discourage or encourage the media in photographing or televising anything within their view at a crime scene or the scene of any police operation. This shall include but not limited to the photographing or televising of a suspect being taken into custody or being transported, or of a victim, or of evidence. Media camera persons will not be permitted any closer access than any other media representatives.

D. No officer shall knowingly and unnecessarily obstruct media representatives in the performance of other duties; however, these representatives must operate within the guidelines of all state and federal laws and City ordinances.

E. Any police restriction on the operation of a media representative shall be based on the guidelines of this chapter and not on an individual's view of what constitutes an acceptable standard of journalism or news photography.

F. The Department will be responsible for the control of media access and release of information at incidents that involve crimes and criminal investigations. The Fire and Rescue Department will be responsible for the control of media access at

fires or incidents in which rescue is the immediate concern. In certain instances, Fire and Rescue may have the initial responsibility and pass this along to the Department to handle the investigation of the cause of an accident or to establish if a criminal investigation is necessary. When this occurs the Department may impose more stringent media access requirements than had been imposed by Fire and Rescue. Additional restrictions shall be no more stringent than the need to protect evidence and as outlined by state law.

G. The Department has no authority to invite the media onto private property without the consent of the owner or person in charge of the property.

H. Media representatives shall not be permitted to interview a person in police custody. Following incarcerations any such arrangement is the responsibility of the Southside Regional Jail.

I. If an officer at the scene of a police event has reason to question the actions or status of any person who claims to a media representative. The officer will receive instructions from a supervisory officer or the Chief of Police.

J. Any employee having a complaint regarding the conduct of a media representative should forward a memorandum detailing the complaint to the Major. The Major will record the complaint and initiate an appropriate investigation. If the complaint is found to be valid, the Chief of Police will forward a letter to the media representative, which specifies the substantiated complaint. The letter will include suggestions for avoiding future problems. A second substantial complaint against the same representative will be brought to the attention of the appropriate management personnel of the media organization.

K. Media representatives possessing appropriate authorization, may enter any area closed because of a menace to the public health or safety after properly identifying themselves; provided they are advised of the dangers present, and such entry will not in any way hinder police or other public safety operations. The decision to assume the risk of possible danger remains with the individual media representative involved. It is not the responsibility of the EPD to provide for the safety of the representatives of the media who voluntarily choose to subject themselves to danger.

30.2 VIRGINIA FREEDOM OF INFORMATION ACT (FOIA)

A. Procedure- General - In order to provide the public with information with which they are duly entitled, the Department will comply with the FOIA. Because of the specific knowledge required, and the broad discretion granted to law enforcement agencies, not all personnel of the agency can or should be expected to respond to requests for information, whether

made formally under FOIA or casually by a citizen or reporter. The Department shall have one or more knowledgeable individuals designated to respond to such requests. The identities of these persons shall be made known to all employees.

1. The Chief of Police shall be responsible for seeing that the following rules and regulations, and the FOIA are adhered to.

2. The Chief of Police and/or his/her designee shall be the point of contact for third party requests for information.

3. Once the Chief of Police receives a FOIA, then he/she will forward the information to the City Manager's office for processing.

B. Procedures for Requesting Information

1. Requests for information submitted by a party to the incident (person or entity with direct connection) concerning a single incident may be made verbally.

2. Requests for information concerning a single property or entity may be made verbally, if the request originates from a property owner or person in charge of the property in question (i.e. apartment manager, etc.)

3. It is preferred but not required that requests for information regarding an incident not related to the requestor be received in writing.

4. It is preferred but not required that requests for more than ten pages of data be made in writing.

5. A requestor has no obligation to state why information is being sought, or for what purpose it will be used.

6. The City may charge actual costs for providing any information to a requestor. Costs shall include time spent by an employee to compile the data, cost of paper, etc. Costs may not include overhead such as electricity, building usage, or maintenance.

7. The City may require the requestor to pay in advance if the requested records are going to time consuming and cost prohibitive.

8. Persons incarcerated in a federal or state correctional facility cannot request records under FOIA, but do retain the right to call for records which may be used as evidence in a criminal prosecution in which they are involved.

C. Records Which May be Obtained

1. Criminal incident information, required only for felonies, may be released for misdemeanors.

a. General description of the criminal activity reported.

b. Date and general location of the alleged crime was committed.

c. Identity of the investigating officer (may be a department contact unless specifically requested).

d. General description of any injuries suffered or property damaged or stolen.

e. Case number.

2. Arrest Records (Adult Offenders)

a. Identity of persons arrested

b. Charges against them.

c. Status of the charge or arrest.

3. Arrestee Photographs (Adult)

a. Photos of arrestees must be released, unless the release will jeopardize an investigation.

4. Personnel Records

a. Personnel records are generally protected. The Chief of Police may release portions.

D. Protected Information – The FOIA provides law enforcement agencies considerable leeway in protecting the identities of individuals with whom they may be involved in a variety of ways.

1. Identity of Victims
2. Witnesses

3. Undercover Officers

4. Identities of persons providing information about a crime or criminal activity under a promise of anonymity (such as crime stoppers, informants, etc.).

5. Records pertaining to neighborhood watch programs and participants.

6. Information relating to investigative techniques or procedures.

7. Tactical operations plans that could jeopardize the safety of officers or the general public.

8. Information relating to the security of any data processing or telecommunications system.

9. Information or records required during the review of any child death by the State Child Fatality Review Team.

10. Confidential records, including victim identity provided to staff of a rape crisis center or a program for battered spouses.

11. Computer programs used to process data that may be included in official records.

12. Criminal Incident information may be withheld if it is likely to jeopardize an ongoing investigation or prosecution, or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. This information may be held only until the above referenced damage is no longer likely to occur from such release.

E. Criminal Investigations Information - Exempt from disclosure are the following:

1. All Complaints.

2. Memorandums.

3. Correspondence.

4. Evidence related to a criminal investigation

F. Time Allowed For Return Requested Information

1. If a written or verbal request for information is received it is treated as a formal FOIA request, unless determined otherwise, and an initial response must be made within five (5) working days after the request is received. One of the following responses must be made:

a. Make the requested record(s) available.

b. Decline, in writing, to furnish the requested records, citing the specific part of FOIA, which exempts them, or any other statute, which prohibits their release (i.e. Virginia State Code Section 16.1-301, which restricts the release of juvenile records.).

c. If only a portion of the records requested are exempt from disclosure, delete or excise the portion which need not be disclosed, and make the rest available accompanied by a written statement identifying that portion of FOIA or other statute that allows the exemption.

d. Respond, in writing, that the requested records cannot be identified within five working days, thereby allowing an additional seven days to identify the records and respond to the request. In highly unusual circumstances, a petition may be made to the Circuit Court for even more time to respond.

G. Further Guidance - When a questionable release is requested, consult the *Law Enforcement Guide to the Virginia FOIA* booklet, or the Code of Virginia.

31.1 VICTIM/WITNESS ASSISTANCE

31.1.1 VICTIM/WITNESS RIGHTS

A. The General Assembly has determined that aid, care and support will be provided by the Commonwealth as a matter of moral responsibility to innocent persons or their dependents who suffer personal physical injury or death as a result of criminal acts or in their efforts to prevent crime or apprehend persons committing or attempting to commit crimes. The EPD recognizes the rights of victims and witnesses, and it is required of all employees to treat victims and witnesses of crime with fairness, compassion and dignity. The Department is committed to the development, implementation and continuation of appropriate victim/witness assistance programs and activities. The Department coordinates with and is afforded all the services of the Greensville County Victim/Witness Assistance Program. This program provides services to crime victims and witnesses at each stage of the criminal justice process.

B. The authority and responsibility for administering and coordinating the Department's role in victim/witness assistance rests with the supervisor of the Criminal Investigations Section (CIS). The Support Division Commander coordinates efforts with the director of the Greensville County Victim/Witness Assistance Program, who in turn works directly with police detectives assigned to crimes against persons and also with patrol officers through training and periodic program updates.

31.1.2 ANALYSIS OF VICTIM/WITNESS NEEDS AND SERVICES

A. The following services are provided to crime victims and witnesses through Victim/Witness Assistance Program:

1. Crisis intervention and assistance with acquiring counseling.

2. Court accompaniment and advocacy.

3. Education on the criminal justice system, including court procedures and victim/witness roles.

4. Information on restitution and receiving compensation.

5. Referral assistance to other support agencies.

6. Preparing victim impact statements.

7. Parole alert and victim input.

8. Victim/witness protection and crime prevention assistance.

9. Public awareness, education and outreach.

10. Assistance with recovery of personal property held as evidence.

31.1.3 POLICIES AND PROCEDURES

A. Implementation and delivery of victim/witness assistance services by agency personnel are ensured by the Investigations supervisor who monitors all applicable investigations, and forwards referral for service to the Victim/Witness Assistance Program. Department personnel are trained and updated on procedures as necessary. Officers provide victims with the "Victim/Witness Assistance Form," which describes victim/witness compensation procedures and outlines other useful victim/witness information.

B. The release of victim/witness information will be governed by the procedures set forth in General Order 30.1.1, *Public Information*.

C. The Department's public information officer will periodically apprise the media of victim/witness services and any changes or updates in such services.

D. The Support Division Commander is responsible for maintaining a liaison with the Greensville County Victim/Witness Assistance Office, and related organizations such as Family Violence and Sexual Assault Unit. This is necessary to:

1. Ensure that victim/witness referrals are based on accurate and current knowledge of the service offered.

2. Maintain lines of communication for offering and receiving suggestions for improving the effectiveness of services

E. The Major shall ensure that all sworn and non-sworn employees, when hired, receive victim/witness training during orientation and Field Training.

31.2 OPERATIONS

31.2.1 24-HOUR VICTIM/WITNESS ASSISTANCE INFORMATION

A. A telephone number for victim/witness assistance and referral information is available 24 hours daily in the Communications Center.

B. Both the telephone number for victim/witness assistance/information and referral information will be provided by officers to victims/witnesses.

31.2.2 VICTIM/WITNESS PROTECTION

A. Victim/Witness Assistance Protection will refer to those victims/witnesses who are harassed or intimidated to appropriate law enforcement officials for assistance.

B. Officers shall assist victims in obtaining transportation to another location as they wish or as the circumstances require. If necessary, officers may transport victims as authorized under Virginia State Code 16.1-253.2.

C. If an officer has at least a reasonable belief that family abuse has occurred and there exists probable danger of further abuse, the officer shall petition a magistrate to issue an emergency protective order, as authorized under Virginia State Code.

31.2.3 ASSISTANCE DURING PRELIMINARY INVESTIGATION

A. During the preliminary investigation of all crimes against persons, serious property crimes, or any other case that the officer deems appropriate, officers shall distribute the victim witness form. The victim witness form includes the following information:

1. Applicable services available and a 24-hour telephone number for assistance and additional information.

2. The applicable case number.

3. A telephone number for the victim/witness to call to report additional case information, or receive information about the status of the case.

B. Officers shall advise victims/witnesses of subsequent steps in the processing of the case, and assist victims/witnesses who are threatened or intimidated.

31.2.4 ASSISTANCE DURING FOLLOW-UP INVESTIGATION

A. Officers/Detectives conducting follow-up investigations shall, at a minimum:

1. In instances where the impact of a crime is unusually severe, contact the victim/witness periodically to determine whether their needs are being met.

2. Explain to the victim/witness the procedures involved in the prosecution of their case and their role in those procedures, as long as it does not impair the successful prosecution of the case.

3. Schedule lineups, interviews and other required appearances at the convenience of the victim/witness, if feasible, and provide necessary transportation if necessary.

4. Promptly return any property taken as evidence where permitted by law, rules of evidence and Department property procedure.

5. Advise the victim/witness that a full-time victim/witness coordinator is available through Victim/Witness Assistance Program, or an advocate that is available through the Family Violence and Sexual Assault Unit.

6. Ensure that copies of incident and supplemental reports, along with any other documentation that is in the case folder is forwarded to the Commonwealth's Attorney's Office

31.2.5 ASSISTANCE UPON ARREST AND DURING POST-ARREST

A. When a suspect is arrested, the investigating officer shall, whenever possible, notify the victim/witness of the arrest, the specific charges placed and the custody status of the arrestee immediately after the arrest.

B. In instances where an arrestee poses a physical threat to the victim/witness of a crime, the investigating officer shall make every reasonable effort to ensure that the victim/witness is notified of the arrestee's release from custody. This may be accomplished, in part, by requesting that detention personnel notify the police department, on-duty supervisor or investigating officer of changes in the arrestee's custody status.

31.2.6 ASSISTANCE TO AGENCY PERSONNEL

A. In the event of a serious line-of-duty injury, or line-of-duty death, the Chief of Police or their designee shall be responsible for:

1. Notification to family and next of kin.

2. Providing needed transportation and assistance at the hospital for immediate family members.

3. Providing assistance with funeral arrangements, and support during funeral and burial.

4. Arranging for counseling.

B. The EPD will provide assistance to departmental personnel and their families following a serious line-of-duty injury or death. These services include but are not limited to:

1. Counseling regarding finances and other possible problems.

2. Referral assistance with legal and benefit matters.

3. Referral assistance for long-term counseling and information needs.

C. The Major will provide the following assistance to Department personnel and their families in instances of serious line-of-duty injury or line-of-duty death:

1. Referral to counseling.

2. Assistance with benefits.

D. Victim Witness Assistance Program will provide support in criminal proceedings resulting from line-of-duty serious injury or line-of-duty death.

31.2.7 PERSONAL EMERGENCY NOTIFICATIONS

A. Emergency messages may be delivered subject to the availability of patrol officers. Any message pertaining to a death, serious injury or serious illness will be delivered in person by the officer. The police chaplain may be contacted to accompany an officer on a notification whenever the chaplain is available. The message shall be delivered to an adult family member or close friend. The officer shall offer assistance in contacting close friends, relatives, or clergy that can provide comfort. The officer must explain the means used in transmitting the notification to the Department so that verification can be made by the citizen receiving the notification.

32.1 TRAFFIC ENFORCEMENT

32.1.1 SELECTIVE ENFORCEMENT

A. The City of Emporia is geographically unique in that two major highways are located inside of the city limits, Interstate 95 and U.S. Route 58. With that increased traffic brings many traffic safety issues. The selective enforcement program is designed for officers to work off duty to enforce traffic violations to reduce traffic accidents and improve highway safety in the City of Emporia.

B. The selective enforcement program is predominately off-duty officers working radar/lidar enforcement to deter motorists to reduce their speed within the City limits. However, Officers will enforce any and all violations that they observe during their time spent on selective enforcement.

C. In accordance with City Personnel Manual, Officers working selective enforcement shall be compensated an overtime hourly rate of time and a half of their regular pay.

D. Officers may work selective enforcement before or after their tour of duty, as well as their regularly scheduled days off. Officers working selective enforcement must ensure they are in compliance with General Order 14.1.1 (C) (7).

E. Officers who work selective enforcement must be productive when they are working this overtime assignment.

F. There may times and occasions when Officers work selective enforcement in other locations; however, it is preferred that Officer work selective enforcement on Interstate 95 and U.S. Highway 58.

32.1.2 DIRECTED TRAFFIC ENFORCEMENT

A. Directed Traffic Enforcement is an activity of the Operations Division and includes the following:

1. The Special Operations Lieutenant is responsible for conducting the annual and monthly traffic analysis. The traffic analysis will include:

a. Compile and review traffic enforcement data;

b. Compile and review traffic collision data;

c. Compare traffic enforcement and collision data to determine if any trends or patterns are prevalent.

(1) Data to be utilized by the Special Operations Lieutenant will include, but not limited to the following:

(a) Temporal Factors: such as Month, Day and Hour;

(b) Location, Direction, Weather and Road Conditions;

(c) Type of Vehicles Involved;

(d) Driver's Actions, to include Violations

(2) This information for the traffic analysis will be gathered from observations, enforcement activities, traffic collision investigation reports, officer/supervisor requests and citizen complaints.

d. The traffic analysis shall serve as a management tool to assist supervisors to deploy officers to areas in need of traffic enforcement.

e. The traffic analysis will be used to evaluate traffic complaints and/or requests for directed enforcement.

B. The traffic complaints received during the month will be reviewed along with the summonses issued to determine if adequate enforcement is being applied to the identified high violation rate locations.

C. The scheduling of directed traffic enforcement in areas where analysis of traffic accidents and violations indicate that special attention is needed. The Operations Division Commander or his/her designee shall issue a monthly schedule of directed traffic enforcement locations based on the preceding analysis. Patterns of similar causes or sudden increases in the severity or number of accidents or violations at a specific are valid criteria for extra enforcement.

D. Directed Traffic Enforcement Assignments - The Special Operations Lieutenant or his /her designee shall provide a monthly directed traffic enforcement activities schedule. Directed traffic enforcement sites shall be worked by patrol officers, during periods of unobligated time.

1. Directed traffic enforcement activities will be based on an analysis of traffic accident data, citizen complaints, and officer knowledge or as directed by the Chief of Police,

City Manager or Council. Enforcement efforts shall be directed toward driving behavior that contributes to traffic collisions. These directed traffic enforcement sites shall not be limited to the enforcement of speeding violations. These sites will be utilized for the enforcement of violations in proportion to the frequency with which they occur.

E. The Operations Division Commander will evaluate the directed traffic enforcement program in conjunction with the monthly traffic analysis. This review should ascertain whether the enforcement efforts have met their objectives. A comparison of current accomplishments to past accomplishments shall be included. Upon completion, the report shall be submitted to the Chief of Police.

F. Traffic Enforcement - All uniformed patrol officers are responsible for the safe flow of traffic throughout the City, and for the enforcement of traffic violations. Specific duties of patrol officers working traffic enforcement will include but are not limited to:

1. Operations of speed measuring devices.

2. Traffic law enforcement.

3. Traffic accident investigations.

4. Traffic and speed studies and analysis.

5. Funeral escorts.

32.1.3 ENFORCEMENT ACTION

A. Officers shall take appropriate enforcement action for each violation of traffic law witnessed or reported to them. All enforcement action shall be accomplished in a firm, fair, impartial and courteous manner using one of the following procedures:

1. Physical Arrest - Officers shall make a physical arrest in compliance with the Code of Virginia, 46.2-940, Under the following circumstances ***if***:

   a. The person(s) is/are believed to have committed a felony.

   b. The person(s) is/are believed to be likely to disregard a summons issued under Code of Virginia, 46.2-936.

c. The person(s) refuses to give a written promise to appear under provisions set forth under Code of Virginia, 46.2-936 and 46.2-945.

2. Officers shall make a physical arrest in compliance with the Code of Virginia, 18.2-266, when a person(s) is/are believed to be operating a motor vehicle while under the influence of alcohol or other intoxicants.

3. All physical arrests must be based on sound legal principles in conjunction with reasonable judgment and discretion.

B. Issuance of Traffic Summons - The issuance of a traffic summons is applicable in most cases for those violators who commit a traffic offense jeopardizing the safe and efficient flow of vehicular or pedestrian traffic. These summonses shall be issued in compliance with the Code of Virginia, 46.2-945.

C. Written Warnings - A warning is a proper alternative for officers when enforcing a minor traffic offense committed in areas where traffic accident potential is minimal. Warnings are also appropriate for violations that occur within tolerances generally allowed by the EPD. While in some circumstances a verbal warning is acceptable, consideration should be given to the issuance of a written warning that creates a record of the violation and the traffic stop.

32.1.4 SPECIAL PROCESSING REQUIREMENTS

A. Contained within this section are procedures for handling situations that require a law enforcement response of a different nature than would be required under normal circumstances.

B. Non-Resident Traffic Violator

1. Non-resident violator compacts are currently in effect between Virginia and a number of other states. Whenever states are added or deleted from these compacts, the addition or deletion will be announced by memorandum to all personnel. Currently, the following states are ***not*** members of the compact:

a. Alaska
b. California
c. Michigan
d. Montana
e. Oregon
f. Washington
g. Wisconsin.

2. These compacts are provided for in the Code of Virginia, 46.2-944 through 46.2-946.

3. Code of Virginia, 46.2-945, paragraph C specifies that no person shall be entitled to receive a traffic summons when the offense is in one of the following categories:

   a. An offense for which the issuance of a summons instead of a hearing or the posting of a bond is prohibited by the laws of the State.

   b. An offense which requires the revocation of the operator's license or the forfeiture of a bond upon conviction.

4. If a non-resident licensed by a reciprocal state fails to appear for court, the clerk of the court shall proceed in accordance with Code of Virginia, 46.2-945 and send the appropriate forms to DMV.

5. A traffic *violator licensed by a state which does not* have a reciprocal agreement with Virginia *will be transported* to the magistrate's office. The vehicle will be towed for safekeeping, if not legally parked, unless another licensed driver is present and the violator can lawfully, knowingly and intelligently entrust the vehicle to such person who is willing to assume such responsibility.

C. Juveniles

1. Juveniles who have committed a traffic offense will not be taken into custody but will be issued a summons. Juveniles will only be taken into custody in accordance with General Order 25.2.2, Taking Juveniles into Custody/Juvenile Arrests.

2. In cases where a juvenile has been taken into custody, the officer shall notify the parents as soon as possible.

3. If the officer deems that further custody is required pending a hearing, juvenile intake shall be contacted for authorization. Juvenile custody procedures shall be followed in compliance with General Order 25.2.2, *Taking Juveniles into Custody/Juvenile Arrests.*

D. Foreign Diplomats and Consular Officials

1. Officers may stop diplomatic and consular personnel for traffic offenses. A summons may be issued because it does not constitute an arrest or detention although the

signature of the official may not be required. Officers should not hesitate to follow normal procedures to intervene in a traffic offense that they have personally observed, even if immunity bars any further action at the scene.

2. Sobriety tests may be offered but may not be required or compelled. If the officer suspects that the individual may be intoxicated he/she shall not permit the individual to drive. The officer's primary duty is the safety of the community and of the intoxicated individual. Options for the officer include:

   a. With the individual's permission, transporting the person/s to the police facility or their home. Such a transport shall only be made after supervisory authorization.

   b. Summoning, at the individual's request, a taxi or other person to drive.

3. Officers involved with such an incident shall fully document the facts and contact the Department of State. The Communications Center maintains current telephone numbers for this purpose. See General Order 34.1.1, *Warrant Control.*

4. The property of an individual covered by immunity includes their vehicles that may not be searched or seized. Such vehicles should be moved so they do not endanger public safety or obstruct traffic.

E. Military Personnel

1. Military Personnel, if from this area, shall be treated as a resident.

2. When a physical arrest is made, the supervisor will notify the liaison officer of the appropriate service organization. The Communications Center maintains telephone numbers for this purpose.

3. A supervisor shall make the appropriate notification when military personnel are involved in a traffic accident and are killed or hospitalized.

4. In any situation where U.S. Government equipment is seized, towed, or confiscated, the supervisor shall notify the appropriate government agency.

F. Legislators - Members of the U.S. Congress, the lieutenant governor or members of the Virginia General Assembly during

sessions and five days before and after sessions, to include any clerk or assistant, shall not be taken into custody for traffic offenses other than felony offense or DUI. The issuance of a traffic summons for a traffic offense is allowed.

32.1.5 ISSUANCE OF TRAFFIC SUMMONSES

A. At the time a motorist is charged with a violation, the officer will provide the motorist with a copy of the summons. This shall include:

1. The date, time and location of the scheduled court appearance.

2. All relevant information on the specific violation charged.

3. Officers shall check the City Box for a violation of a non-jailable motor vehicle violation.

4. Whether appearance in court is mandatory or if a fine may be paid in lieu of a court appearance.

5. A court telephone number for the motorist to contact for additional information.

B. The officer shall ensure all other information provided to the motorist is done clearly and in a manner that is easily understood.

32.1.6 ENFORCEMENT POLICY

A. The EPD strives to provide uniform enforcement action for traffic violations throughout the City. Sound judgment by all officers in considering the circumstances and conditions at the time of the violation will ensure appropriate action and gain the public confidence in traffic enforcement.

B. The ultimate goal of traffic law enforcement is to achieve voluntary compliance with all traffic laws. To achieve this the Department will:

1. Actively enforce the law as it pertains to driving while intoxicated. Officers will normally arrest any driver found to be in violation of this law. Arrests will be based on an individual's driving behavior, and the results of field sobriety tests.

2. Actively enforce the law as it pertains to speeding violations with discretion utilizing warnings and issuing summonses. Consideration should be given to the weather conditions, traffic volume, pedestrian traffic and location in conjunction with the correlation of speeding and traffic accidents.

3. Actively enforce the law as it pertains to hazardous traffic violations.

4. Actively enforce the law as it pertains to equipment violations. These shall be enforced when a vehicle is found to be in violation of several equipment requirements, a summons should usually be issued for the most serious violation. This action should be taken even when each violation independently is worthy of only a warning. Single equipment violations shall be enforced based on the seriousness of the offense and officer discretion.

5. Enforce violations by public/commercial carriers. All enforcement policies and procedures in this section are applicable to the public/commercial carrier.

6. Enforce non-hazardous violations in some cases by issuing a warning. Enforce flagrant or subsequent violations by issuing a summons.

7. Enforce multiple violations in one of the following applicable manners:

    a. When an officer is confronted with an individual that has committed two or more separate serious violations, the officer will issue a summons for each offense. The exceptions to this would be when the two violations are similar to the extent that one law exists for the purpose of compliance with the other law or is a lesser- included offense of the other law.

    b. Normally, one summons will be issued in the case of related, multiple, non- hazardous violations stemming from the same incident.

    c. When multiple violations are observed and they can be classified separately as hazardous or non-hazardous, they should be dealt with independently. For example, a driver stopped for speeding and found to be driving without a license shall be issued separate summonses.

8. The Chief of Police shall set grace periods where warnings will be issued in lieu of a summons when a new traffic law becomes effective. After the initial grace period, enforcement will be carried out in the preceding uniform manner. Generally the grace period will be two weeks after the enactment of the

new traffic law. During the first two weeks officers need to educate the motorist of the new traffic law and give warnings.

C. This enforcement policy does not supersede sound officer judgment. It is impossible to predict every conceivable situation involving traffic offenses. In unusual circumstances, officers must decide the proper enforcement action based on a combination of training, experience and common sense.

D. Violators Without Driving Privileges

1. No person without a valid operator's license, except those exempted in the Code of Virginia 46.2-303 through 46.2-309 is allowed by law to drive a motor vehicle on any highway. Officers sometimes may stop violators that are not able to produce a valid driver's license. When this occurs officers shall transmit the violator's name, date of birth and driver license number to the Dispatch Center to check the status of the violator's driving privileges. If the violator has a valid license, then the officer's actions should be dictated by the initial violation or contact.

2. If the violator does not have a driver's license through DMV, the officer should determine if the violator has been issued a license through another state. If it can be determined that no license has been issued, the officer should cite for *No Operator's License* unless circumstances warrant a physical arrest in accordance with General Orders 2.1.4, *Arrest Procedures,* and the Code of Virginia 19.2-74.

3. If the violator is driving while on a suspended or revoked license in Virginia, the officer should cite for "Driving While Suspended or Revoked." If the violator is driving while suspended or revoked in another state and has no status in Virginia, the officer should cite for "No Operator's License." If circumstances warrant, a physical arrest may be executed for either of the preceding incidents, in accordance with General Orders 2.1.4, *Arrest Procedures,* and the Code of Virginia, 19.2-74.

4. If it is determined that the violator is suspended, revoked or has no operator's license, they shall not be allowed to drive from the location of the stop and other arrangements should be made. Unless the driver is incarcerated, the violator's vehicle need not be towed if it is legally parked or on private property.

5. If there is doubt about the correct status of a license, a suspension or a revocation, and verification cannot be

gained within a short period of time, officers should release the violator. A summons from a magistrate may be obtained when confirmation is received at a later time.

E. Pedestrian and Bicycle Traffic Enforcement - Officers will take appropriate enforcement action when and where pedestrian and bicycle traffic law violations are observed. Enforcement actions should be commensurate with pedestrian and bicycle accident occurrences as determined through analysis of accident reports.

1. Pedestrian Enforcement

a. Prior to any increase in the enforcement effort directed toward pedestrian traffic, sufficient publicity and community awareness campaigns will be conducted by the Chief of Police.

b. Officers will concentrate their efforts on pedestrian violations in those areas where accidents involving pedestrians have been frequent or severe.

c. In the enforcement of pedestrian traffic laws, the spirit of the law shall supersede the letter of the law and application should be made accordingly.

2. Bicycle Enforcement - Enforcement of traffic laws pertaining to bicyclists has become increasingly more important due to the use of the bicycle as a major means of transportation and exercise. Officers must enforce these laws to ensure the safe operation of bicycles. To provide guidance in the enforcement of these laws the following procedures are established:

a. In areas where traffic congestion and the frequency of traffic accidents involving bicycles are predominant, laws pertaining to the proper operation of bicycles will be strictly enforced.

b. On roads with a substantial flow of vehicular traffic and where hazardous moving violations are observed involving bicycles, the applicable laws should be enforced.

c. In areas where traffic flow is minimal, visibility is unobstructed, and traffic accidents are few, officers should exercise discretion when enforcing laws pertaining to bicycle operation.

d. Officers should be less tolerant with adult offenders who should be aware of the hazards inherent in the unsafe operation of bicycles. Officers should be more lenient in the enforcement of the law and more instructive with youthful offenders, who may not be fully aware of the consequences associated with the unsafe operation of bicycles.

e. The Detective/Community Policing Officer will be responsible for conducting bicycle safety and pedestrian safety course throughout the community.

F. Off-Road Vehicle Enforcement

1. When investigating the use of off-road vehicles on private property, attempts will be made to contact the property owner to determine if permission has been given to the operators. If permission was not given then the officer will ask the driver to cease their activity. Operators should be advised to keep written permission with them including the name and telephone number of the property owner. If violations of the statutes pertaining to reckless driving, hit and run, DUI or destruction of property are committed by the operator of an off-road vehicle on private property, officers may take enforcement action. If an officer observes an off-road vehicle being operated in a public area, City Ordinance, 74-25, shall be enforced.

2. Operators of off-road vehicles driven upon a public road are required to comply with all motor vehicle laws and ordinances.

3. Towing of off-road vehicles will be in accordance with General Order 33.3.7, *Abandoned Vehicles, Tow Policy, Towing Records*.

4. Traffic collision investigations of off-road vehicles on private property will be conducted if there is an injury or death, if DUI was a factor, or if there was a hit and run. For all other cases involving off-road vehicles the involved parties will exchange information.

G. Seat Belt and Child Safety Restraint Enforcement – The Emporia Police Department recognizes the need for motorists and occupants to use seat belts and child safety restraints in an attempt to reduce personal injuries in motor vehicle accidents.

1. Seat Belt Enforcement:

a. Seat Belt violations are considered a secondary violation, which means unless the officer issuing the citation has cause to stop or arrest the driver of the motor vehicle for the violation of some other provision of the Virginia Code or local ordinance relating to the operation, ownership, or maintenance of a motor vehicle or criminal statute. Upon inspection if the officer observes that the motorist or passengers are not properly restrained they may issue a uniform traffic summons. Officers will charge the violator under Virginia State Code 46.2-1094. Officers need to familiarize themselves with the above Virginia State Code.

2. Child Safety Restraints Enforcement:

a. Child Safety Restraint violations are considered a primary violation, which means that an officer can initiate a traffic stop for observation of this violation. Officers will charge the driver of the motor vehicle under Virginia State Code 46.2-1095. Officers need to familiarize themselves with the above Virginia State Code.

H. Violations Resulting in Traffic Collisions - Officers shall investigate collisions on public property to determine the causative factors. When evidence exists to satisfy all the elements of a violation, enforcement action should be taken and a FR-300 P will be completed. Officers who investigate collisions on private property will determine if a violation of Reckless Driving, Hit and Run, DUI or any criminal law violations were causative factors. When evidence exists to satisfy all the elements of one of the preceding violations, enforcement action should be taken and a FR-300 will be completed.

32.1.7 ENFORCEMENT PRACTICES

A. The Department operates on the principle that the most effective deterrent to traffic law violations is visible patrol utilizing marked patrol vehicles. Prevention and voluntary objectives of the Department's traffic law enforcement efforts, with apprehension and enforcement as secondary means. All patrol officers shall handle these duties along with their normal workload. Patrol vehicles will be operated in accordance with existing laws and in such a manner as to demonstrate exemplary driving behavior. In areas where a fixed post observation is necessary to maximize the effectiveness of a traffic enforcement effort, officers will normally park in a conspicuous location in such a

manner as to not impede the flow of traffic. The use of a covert location and an unmarked vehicle may be unfavorably perceived by the public, but in certain circumstances may be the only effective means to address a particular problem. Unmarked vehicles for traffic enforcement will be utilized during selective enforcement. All unmarked vehicles used for traffic enforcement shall be equipped with emergency lights and siren.

32.1.8 TRAFFIC STOPS AND ROADCHECKS

A. Traffic Stops - The Supreme Court has held that before making traffic stops officers must be able and prepared to articulate in court both to the person(s) stopped and reasonable suspicion of possible violation of law. Therefore, random traffic stops shall be made only in accordance with the following Departmental policy:

1. Officers shall make random traffic stops only when they are able and prepared to articulate at least a reasonable suspicion that criminal activity or a traffic violation has occurred or is occurring.

2. Upon stopping a vehicle for a traffic violation, officers need not issue a citation in all circumstances.

3. Officers should be ready and willing to provide motorists with an explanation as to why they have been stopped.

4. In circumstances where the vehicle stop is made in regards to suspicion of criminal activity, the officer shall document such information in their field notebook, or their mobile data terminal when no arrest is made. Such documentation will include, but is not limited to, the following:

    a. Time the stop began and ended.

    b. Location of the stop.

    c. Reason(s) for the stop.

    d. Vehicle operator and occupants, if applicable.

    e. Vehicle description.

5. Initiating the Stop:

    a. Choose a stop location that is safe by avoiding curves and hill crests.

b. Notify the Communications Center of the violator's vehicle registration displayed, including state and year, and the location of the stop. Officers shall ensure that the dispatcher has this information prior to any contact with the violator.

c. If an Officer is working selective enforcement they will ensure that they mark out of the traffic stop on their mobile data terminal, and ensure that information such as driver and registration, as well as a wanted check is transmitted through the mobile data terminal.

d. Activate emergency lights; use horn, then the siren if needed, to alert the violator to stop.

e. Position the police vehicle about 15 feet behind the violator's vehicle and offset to the left about 3 feet towards the traffic lane.

f. Observe the occupants of the stopped vehicle for 10-15 seconds for any unusual movement before exiting the police vehicle.

g. If necessary, high headlight beam, spotlights, or ally lights may be used to improve visibility inside the violator's vehicle or to conceal the officer's movements.

B. High Risk Traffic Stops- When conducting a traffic stop where there is a high risk to the safety of the officer and citizens of the community, officer will:

1. Notify the Communications Center of the locations, description, and number of occupants to include the license plate information before initiating the stop.

2. The officer will make the traffic stop and not engage the suspect until a backup unit has arrived.

3. The circumstances of the traffic stop may require the assistance of more than one back up officer.

a. Whenever possible, officers should select a location for the traffic stop which would prevent the obstruction of traffic and which would be tactically advantageous to the officers.

b. Dispatch shall be notified of the location of the traffic stop.

c. Signaling the driver to stop by activating the police vehicle's emergency lights, and siren.

d. The Communications Center will hold the channel, and advise all other officers the channel has been locked and to hold all non-emergency radio traffic.

4. During darkness, shine the police vehicle's spotlight and take-down lights, if available into the violator's rear view mirror and through the back window to illuminate the interior.

5. Position the patrol vehicles behind the violator in such a manner as to provide cover.

6. Officers shall exit their vehicles with guns drawn and position themselves behind cover.

7. Remain constantly alert during the entire traffic stop. Observe the occupant(s) of the vehicle, evaluate the situation and request additional assistance.

8. Avoid approaching the violator's vehicle and order the occupants of the vehicle to remain inside the vehicle until instructed otherwise.

9. The officer initiating the traffic stop will coordinate the activity of other officers and issue verbal commands to the occupants when all officers are ready and in position.

10. Occupants will be ordered to:

    a. Turn off the vehicle, and remove the keys from the ignition.

    b. Exit the vehicle individually and, while facing away from the officers, walk back to the sound of the officer's voice until told to stop.

11. Occupants will be immediately restrained, searched for any weapons or contraband and placed immediately into the rear of the patrol vehicle.

12. When it is believed that all occupants have exited the vehicle then at least two officers will tactically approach the vehicle to conduct a search for additional occupants, as well as the trunk of the vehicle.

C. Roadchecks - The Supreme Court has held that officers stopping vehicles at roadchecks operate the roadchecks under an explicit plan or practice that employs neutral criteria and adequately constrains officer discretion. Roadcheck sites will be selected using the following criteria:

1. Sites should have adequate visibility to provide safety to approaching motorists and officers conducting the checkpoint.

2. Sites should have adequate space available to park the police vehicles and allow motorists to be pulled out of the traffic flow.

3. Sites should be designated and approved for specific time frame. Factors for consideration would be lighting conditions and traffic volume.

4. The Supervisor shall establish the criteria for stopping and checking vehicles passing through the checkpoint; e.g., every third, every fifth vehicle, etc. Screening procedures may be varied, upon supervisory approval, during the course of the checkpoint, depending on the number of officers available and the amount of traffic.

5. The supervisor shall periodically monitor checkpoints to ensure that the operation is in accordance with General Orders.

6. Officer Responsibilities:

   a. Officers shall not conduct road-checks without the approval of their supervisor.
   b. Vehicle stops based on reasonable and articulable suspicions, such as state inspections and registrations, may be utilized at road checks with supervisory approval.

   c. Officers on a roadcheck detail are responsible for assuring that all necessary precautions are taken to afford the highest degree of safety to officers and motorists.

   d. Patrol vehicles should be parked to provide protection to the officers and high visibility to approaching motorists.

   e. Officers shall be in uniform and shall wear the traffic safety vest.

f. When appropriate, officers will advise the driver of the purpose of the stop.

g. Officers may utilize discretion in issuing citations.

h. Violators should stay in their vehicle. If a violator continues to approach an officer after being ordered back to their vehicle, the officer should be prepared to take appropriate or evasive action.

i. Consider weapon readiness on every stop.

j. When approaching a violator's vehicle, officers should watch the occupant, check for altered license plates, check the trunk to see that it is closed and locked, and inspect the interior for possible weapons or hidden passengers. Officers should avoid passing between the lights of the police vehicle and the violator's vehicle.

k. Stand beside the violator's vehicle as closely as possible, and to the rear of the driver when conversing. Always watch for any passengers.

l. Keep a constant view of the violator's hands. Officers should have the violator reach outside, instead of the officer reaching inside. Officers should take the driver's license and registration with their non-gun hand.

7. <u>During the Stop:</u>

a. Check the violator and vehicle for validity, status, wants or warrants.

b. Prepare the summons in a manner that permits surveillance of movement of the violator or the vehicle. Do not focus completely on the summons.

8. <u>Reconnecting the Driver</u>

a. When returning to the violator's vehicle look for any changes within the vehicle.

b. Allow the violator's vehicle to reenter traffic first.

c. Turn off all emergency equipment as soon as practical when re-entering traffic.

32.1.9 SUMMONS ISSUANCE PROCEDURES

A. Traffic enforcement, a routine police task, is frequently an emotional experience for the violator. Officers must exercise an understanding of human relations and be flexible in dealing with these citizens. Officers should strive to make each contact educational, and leave the violator with the impression that the officer has performed a necessary task in a professional and friendly manner.

B. Officers have two objectives on each traffic stop. The first is to take appropriate enforcement action and the second is to favorably alter the violator's future driving behavior. To minimize conflict between the officer and the violator the following procedures shall be used as a guide in the issuance of a summons:

1. Be alert at all times for the unexpected, but not be obviously apprehensive.

2. Be certain that the observation of the violation was accurate without reservation.

3. Present a professional image in dress, grooming, language, bearing and emotional stability.

4. Be prepared for the contact by having the necessary equipment and forms immediately available.

5. Decide on the appropriate enforcement action based upon the violator's behavior, not attitude.

6. Greet the violator with appropriate title and in a courteous manner.

7. Inform the violator of the violation of law that was observed and the intended enforcement action. The violator should not be kept in suspense.

8. Ask for and accept the violator's driver's license and registration.

9. If the driver has no driver's license, seek and obtain other appropriate identification.

10. Allow the violator to reasonably discuss the violation.

11. Complete the forms required of the enforcement action

taken or exercise a verbal warning.

12. Explain to the violator the action taken and the options that the violator may exercise in response to the enforcement action.

13. Explain to the violator the date, time and location of any mandatory court appearances. If a court appearance is not required, explain any alternatives to the violator. Do not quote the prepaid fee schedule. Officers may provide the driver with the court approved list of fines. Do not predict the actions of the court, but refer questions about appearances directly to the court.

14. Be alert to signs of emotional distress shown by the violator. If distress is present, officers should repeat any needed instructions and encourage the violator to calm down before driving again.

15. Return the violator's documents with the copy of the summons or warning issued

16. Assist the violator in safely re-entering the traffic flow.

17. Do not follow the violator.

32.1.10 SPEED MEASURING DEVICES/ USE OF RADAR

A. The EPD will utilize radar/lidar equipment to:

1. Reduce traffic accidents at specific locations where the cause of the crashes may be attributed to excessive speed.

2. Reduce speeding at specific locations that have Been identified through citizen complaints.

3. Reduce speeding at specific location when identified by officers having knowledge of violations that may cause a hazard.

B. Lidar/Radar equipment use shall comply with the Code of Virginia, 46.2-882. The following procedures shall apply:

1. Supervisors will direct officers to use lidar/radar in areas

that are identified as areas that need attention within the City of Emporia.

2. Working lidar/radar at the foot of a grade shall not be a standard practice. If complaints are received from citizens or if accidents have occurred which can be attributed to excessive speed, an on-site inspection shall be conducted by a supervisor prior to the use of radar.

3. Only officers having passed an approved lidar/radar operator's course will operate lidar/radar units. Officers who have not completed an approved course may make radar/lidar arrests under the direction of a certified operator.

4. Supervisors shall ensure the use of lidar/radar is accomplished without affecting the availability of personnel for minimum patrol needs and services rendered to the community. Under normal circumstances, there will be no more than two officers at the lidar/radar set.

5. No motorist shall be cited when utilizing radar for violations less than 10 mph beyond the posted speed limit, ***except*** when enforcing a school zone speed limit. Tolerance levels under the minimum may only be set by the Chief of Police based upon circumstances of a specific location.

C. Lidar/Radar Equipment

1. All lidar/radar equipment used for enforcement purposed shall meet or exceed DOT/NHTSA standards for traffic lidar/radar.

2. A calibrated speedometer from a selected patrol vehicle will be utilized to calibrate lidar/radar sets. All lidar/radar sets will be taken to the Lidar/Radar Coordinator when in need of service or repair.

3. Lidar/radar and vehicle check for accuracy's shall be forwarded to the Lidar/Radar Coordinator who will ensure that the checks for accuracy are stored in a 3-ring binder in the Administrative Assistant's Office who will ensure that a current and accurate file is available for court purposes.

D. Speedometer Calibration - To ensure the Emporia Police Department meets the prima facie evidence requirements of Code of Virginia § 46.2-882, all City-owned law enforcement vehicle

speedometers will be checked for accuracy every six-months. A notarized copy of the latest check for accuracy shall be given to each officer for their assigned patrol vehicle. The original certificate of calibration will be maintained in the "Vehicle and Radar Check for Accuracy" notebook in the Administrative Assistant's Office.

1. The Radar/Lidar Coordinator will ensure those assigned City-owned vehicles are checked for accuracy prior to the expiration date on the certificate.

    a. Additionally, the Major is responsible for ensuring that a true copy of the test for accuracy is submitted to the Administrative Assistant so that the required notarized copies can be created. Each patrol officer will receive a notarized copy of the vehicles check for accuracy and will ensure that they are in possession of that check for accuracy when they appear in court.

2. Sworn officers will check speedometers of City-owned law enforcement vehicles by means of radar. They will be checked for accuracy. The radar indicated will be positioned to permit the officer to whom the vehicle is assigned to be able to read both the radar indicator and the speedometer.

3. New vehicles will be checked for accuracy prior to issuance to a sworn employee.

4. Employees, sworn or otherwise, will neither check nor calibrate speedometers of vehicles not owned by the City or vehicles owned by the City that are not law enforcement vehicles of this Department. When such requests are received, it should be explained that commercial firms are available to provide this service.

32.1.11 DUI ENFORCEMENT

A. Motorists impaired by alcohol or drugs pose a serious threat to the safety of the motoring public. A comprehensive, coordinated and continuing effort by all members of the Department involving education, enforcement, adjudication and public support is essential in combating the drunk driving problem. All officers shall make an intense effort to detect and arrest the drunk driver.

    1. Officers shall be alert for signs of alcohol or drug

impairment in all contact with motorists. After initial examination at the scene of a traffic contact and upon determination that probable cause to arrest exists, officers shall affect a physical arrest of the subject.

2. Chemical tests will be offered in accordance with the Code of Virginia, 18.2-266-269, *Departmental Policy and* procedures established by the Greensville County General District Court.

3. Officers must realize chemical tests are supplemental tools and a refusal to submit to a chemical test will not constitute cause to issue a summons for a lesser violation.

4. All supervisors will ensure that officers under their command are familiar with all aspects of DUI detection, field sobriety testing, and DUI prosecution.

B. Education is an important element in combating the drunk driving problem. The Operations Division has the primary responsibility for DUI and driver safety awareness programs for schools and other civic organization

32.1.12 DUI ARRESTS

A. The detection and arrest of drunk drivers differs from that of other traffic law violators. There are specific legal limits of drug or alcohol intoxication, and the law is specific with regards to the implied consent statute, and for guidelines regarding chemical tests. These laws in the Code of Virginia, 18.2-266-269, outline the officer's scope of authority and establish procedures for detection, arrest, and processing of an intoxicated driver.

B. Detection is the first step in DUI enforcement. This is when an officer establishes probable cause to arrest. Detection includes:

1. Recognizing and identifying specific driving behaviors that signify the driver may be impaired by alcohol or drugs.

2. Recognizing and identifying specific behavior occurring during traffic stops that provide evidence or suspicion that the driver may be intoxicated.

3. Documenting all observations which lead the officer to believe that the driver may be intoxicated.

4. The use of caution when pursuing an intoxicated driver and always being alert for unpredictable reactions.

5. Avoiding prolonged pursuit and apprehending as soon as possible in a safe location.

6. Notifying the dispatcher of the vehicle description, location stopped and whether assistance is needed.

7. Approaching the vehicle with caution and obtaining appropriate documentation.

8. Interviewing the driver and passengers.

9. Having the driver exit the vehicle and move to safe location where field sobriety tests may be conducted.

10. Administering appropriate field sobriety tests to assess impairment of the driver.

11. Not allowing the driver to move the vehicle once the driver is judged to be impaired.

12. Formulating appropriate arrest decisions based on the evidence accumulated. Test results and driving behavior should be collectively weighed in the decision to arrest. The driver may refuse the field sobriety tests. Officers may arrest solely on the basis of driving behavior and personal contact with the driver.

C. Arrest and Processing - If the officer has satisfied the elements of a DUI violation, a physical arrest shall be made.

1. The subject should be handcuffed and searched.

2. The subject's vehicle may be released to a responsible party with the owner's approval or towed in accordance with General Order 32.3.7 *Abandoned Vehicles, Tow Policy, and Towing Records*.

3. Notify the subject of their rights and responsibilities.

4. Transport the subject to the Southside Regional Jail where a state certified breathalyzer operator may administer the test.

5. Take the subject and completed forms to the magistrate to obtain the appropriate warrant. If a breath test is performed and the results are below the level of consumption by law, the officer may request a blood test of the officer has reasonable suspicion that the subject may test positive for a known specific narcotic drug. If the result shows a blood alcohol content of 0.08 percent or more by

weight by volume, the officer shall proceed according to the Code of Virginia 46.2-391.2, for the administrative suspension of the subject's license.

6. If a blood test is administered, take the subject to the magistrate to obtain the appropriate warrant. Have the subject select a laboratory on the independent laboratory selection form. The arresting officer shall label both blood vials for mailing. The officer shall obtain postage for the vials from the administrative secretary and mail the vials. If the subject did not indicate a laboratory, the officer shall log the vial into evidence and submit it to the property room. The vial shall be held at least 72 hours, at which time it may be destroyed by authority of the Chief of Police.

7. If the subject refuses to submit to a chemical test, the officer shall take the subject to a magistrate. If the subject refuses to take a test at the magistrate's request a warrant for refusal will be requested. The officer shall also proceed according to the Code of Virginia, 46.2-391.2, for the administrative suspension of the subject's license.

32.1.13 RE-EXAMINATION OF MOTORISTS

A. Routine traffic enforcement and accident investigation activities may lead to the discovery of motorists that suffer from a physical or mental disability, disease or similar condition that may prevent the motorist from exercising reasonable care over a motor vehicle. Officers detecting such a person shall notify the Medical Unit of the Driver Monitoring Division of the DMV to request a reexamination. Officers will make the request by completing a "Driver Review Request" form, provided by the DMV, and mailing the form to the address listed on the form. Officers should describe in detail any physical or mental defect in the motorist and detail the specifics of the incident that brought this defect to the officer's attention. Reasonable grounds for the reexamination of a motorist must be established by the officer to the satisfaction of the Division of Motor Vehicles. See the Code of Virginia, 46.2-322.

32.1.14 PARKING VIOLATIONS

A. Officers shall be familiar with the parking regulations of the City of Emporia. Special attention should be given to:

1. Any parking violation that obstructs the flow of traffic during peak traffic hours.

2. Any violations of fire lanes that have been approved by the Chief of Police.

3. Any violations on public or private property of appropriately designated handicap parking spaces.

4. Any vehicle that is a traffic hazard. If the owner cannot be located and respond in a timely manner the vehicle may be towed.

5. Any violations in heavily congested areas, such as the downtown area and shopping centers. All towing shall be in accordance with General Order 33.3.7, *Abandoned Vehicles/Towing Policy/Towing Records.*

32.2 TRAFFIC COLLISION INVESTIGATIONS

32.2.1 TRAFFIC COLLISION REPORTING

A. All traffic collisions on public highways, public property and private property shall be investigated by an Emporia Police Officer.

B. All Emporia Police Officers assigned to investigate traffic collisions occurring within the jurisdiction of the Emporia Police Department shall complete the DMV FR300-P via the TREDS reporting system, if the crash meets the definition of a reportable collision.

C. If the damage is under the monetary limit set by DMV and there are no injuries reported, an FR-300 will not be completed.

D. The officer assigned to investigate a collision will be in charge at the collision scene until relieved by a supervisor.

   1. The following circumstances are examples, when an officer cannot fully investigate a motor vehicle collision, by taking photographs, measurements or completing an FR-300P crash report. If an officer is presented with this situation, they will obtain as much information as possible to enter in the CAD system and complete an exchange of information form for principals involved:

      a. Collisions where vehicles involved have been removed to a different location (Not just moved from the roadway) for example when a collision occurs on the highway and the vehicles were driven to the police department.

      b. Collisions where a significant time lapse has occurred between the collision and the report of the collision. For example, when a collision occurred one day and is reported the following day.

E. Police officers shall neither advise nor encourage, any person involved in a collision to forgo the completion of a collision investigation. Police officers shall assist all persons involved in any type of collision, at a minimum, with the exchange of pertinent driver/insurance information by providing exchange slips for each driver.

F. Members of the public who are involved in a non-reportable collision per the guidelines set forth by the Department of Motor Vehicles FR300-P and desire a report form completed for insurance purposes, will be advised of the requirements for reportable collisions. After the citizen, has been provided with a driver's exchange slip, and the information will be entered into the CAD system for later retrieval.

G. Officers will investigate collisions having occurred:

1. Involving death or injury;

2. Collision resulting in property damage;

3. Hit and Run;

4. Impairment due to drugs or alcohol;

5. Incidents involving Hazardous Materials on either private or public property will be investigated and reported with a FR-300 report;

6. Occurrences on private property involving DUI, reckless driving and/or at the specific request of any of the parties directly involved.

7. Officers will assist both drivers with an exchange of driver information for minor collisions occurring on private property, which will be recorded in the Department's CAD system.

H. All collision reports required by this general order and Virginia State Code shall be submitted to the investigating officer's supervisor prior to the end of their tour of duty.

I. Officers need supervisory approval to leave a report in an incomplete status.

J. It is the investigating officer's responsibility to finish the report as soon as possible and complete all paperwork.

K. Public Vehicle Collisions

1. Collisions occurring in the City involving vehicles owned by the City of Emporia and Greensville County will be investigated by the EPD. Collisions involving State owned vehicles will normally be investigated by the State Police following these same procedures.

2. Collisions involving City of Emporia vehicles occurring in the City shall be investigated and reported by the EPD. Photographs of the damages will be taken. The supervisor shall be notified of all City vehicle collisions and will respond

L. Police Vehicle Collisions

1. The operator of a police vehicle involved in any type of collision shall, unless physically disabled notify the Communications Center by radio without delay.

2. Upon being notified of such collision the Communications Officer shall advise the on-duty supervisor.

3. In all police vehicle collisions, the operator, unless physically incapable, shall submit a Blue Team report detailing the circumstances of the incident prior to the end of the officers' tour of duty.

4. A complete investigation shall be conducted. The investigation may be investigated by the on-duty supervisor, or the Virginia State Police depending on circumstances. In cases where a police vehicle meets another object because of the intentional actions of a departmental employee, the case shall be investigated as a "Use of Force Investigation." See General Order's 5.1.7, *Reporting Use of Force/Discharge of a Firearm,* and 5.1.8, *Administrative Review of the Use of Force*.

5. Any police pursuit which results in a crash in the city limits, whether the police vehicle was involved the On-Duty Supervisor is responsible for investigating the crash. The On-Duty Supervisor shall submit an FR300 even if the crash is non-reportable to DMV.

6. Fatal or serious injury collisions require an oral report to be made to the Chief of Police and Major as soon as possible after the occurrence. The ranking supervisory officer on duty at the time of the collision shall make the oral report.

7. The investigation of any collision involving a police vehicle that occurs outside the jurisdiction of the City of Emporia will be conducted by the appropriate jurisdiction.

8. Investigations of all fatal and serious injury collisions involving an EPD employee operating a police vehicle will be conducted, when possible, by the Virginia State Police. If the State Police are unavailable, the investigation will be conducted by the ranking EPD supervisor.

9. The investigating authority shall determine the cause of the collision based upon all evidence and known facts. The investigating authority shall conduct their investigation and document their findings per procedures outlined in General Order 29.1.4, *Conduct of Investigation.*

10. The FR-300 shall be completed on all police vehicle collisions and attached to the internal investigation memorandum to the Chief of Police. The FR-300 will be forwarded to DMV only when required by state law.

11. The completed FR-300 and the Blue Team Report shall be routed to the Chief of Police as soon as possible. Only the original reports are to be submitted.

12. The employee(s) that are involved in a vehicle collision that results in serious or fatal injuries, will be placed on administrative leave, as outlined in Chapter 29, *Internal Affairs,* for internal affairs investigations.

32.2.2 TRAFFIC COLLISION SCENE RESPONSES

A. A minimum of one Emporia Police Officer will respond, take a report, and investigate all reportable collisions within the jurisdiction of the City of Emporia.

B. Additional police officers will respond to collisions to assist the investigating officer as required.

C. The agency shall respond without delay to all collisions that involve the following:

   1. Death or injury;

   2. Hit and run;

   3. Impairment of an operator due to alcohol or drugs;

   4. Damage to public or private property with a minimum of $1,500.00;

   5. Hazardous materials;

   6. Disturbances between principals;

   7. Major traffic congestion because of the collision;

   8. Damage to vehicles to the extent towing is required.

D. The Chief of Police shall have the authority to suspend investigations of traffic collisions during designated times of emergency to include:

   1. Natural disasters;

2. Civil disturbances;

3. Other emergencies.

E. Police officers assigned to investigate traffic collisions should take enforcement action whenever a violation of the laws of Virginia or the Ordinances of the City of Emporia cause a collision, or when a driver involved in a collision is otherwise in violation of the laws or ordinances. The appropriate enforcement action may include:

1. Warnings;

2. Issuance of summonses;

3. Physical arrest

32.2.3 TRAFFIC COLLISION SCENE DUTIES AND RESPONSIBILITIES

A. The following is a chronologically correct procedure for responding to, arriving at, and beginning the investigation of a traffic collision.

B. The police officer assigned to complete the collision investigation shall be the officer in charge of the collision scene, unless they are relieved by a supervisor.

C. The officer in charge of the scene shall cooperate and aid the Rescue Squad, Fire Department, and other emergency personnel as the circumstances of the collision require.

1. Arrive on the scene quickly and safely;

2. Park the police vehicle in a manner to protect the scene, preserve evidence and protect the public. Do not create an additional hazard. Emergency lights will be activated while the police vehicle is parked on the roadway;

3. Check for injuries, fire hazards, hazardous materials and other dangers. Officers who arrive at the scene of a collision with a personal injury shall summon assistance immediately. A second officer may be requested, if needed. Immediate first aid should be given to any victim with serious injury. Victims complaining of back or neck injury should only be moved by rescue personnel unless conditions at the scene are life threatening to the victim. When rescue personnel arrive, officers will aid as requested;

4. Preserve the evidence that may be short lived;

5. Establish traffic control around the scene and as soon as practical, remove vehicles from the roadway to a safe location. This will alleviate the possibility of causing other collisions and relieve traffic congestion. The use of highway flares or cones to assist motorist should be considered at all collision scenes;

6. Identify operators and witnesses. Record statements and ensure a proper exchange of information is conducted between operators;

7. Request a tow truck if damage to the vehicle will not allow them to be driven from the scene. If the owners of the vehicles don't prefer a tow company, then the officer will have the Communications Center contact the next tow company on the rotating list;

8. Check to be sure all information has been obtained regarding operators' licenses, registrations, and insurance companies;

9. Issue appropriate summonses;

10. Investigate the scene by recording damages to vehicles, taking photographs, making sketches and taking measurements when needed;

11. Ensure the roadway is clear of debris before leaving the scene. The responding tow truck operator is required to clear the scene prior to leaving.

12. Property Belonging to Collision Victims

    a. The police officer in charge of the collision scene shall be responsible for taking control of property belonging to collision victims when the victims are not able to take care of the property.

    b. If the police officer in charge of the collision scene cannot immediately release the property to a collision victim or member of the victim's family, the police officer shall store the property in the Property and Evidence Room at the Emporia Police Department following the procedures for submission of property and evidence to the Property and Evidence Custodian as outlined in Chapter 39 of the Emporia Police Department Policy and Procedures Manual.

13. Collecting Collision Scene Information

a. the police officer assigned to investigate a traffic collision shall collect the information necessary to complete the required DMV FR300-P via the TREDS reporting system utilizing the following procedures:

(1) Interview principals and witnesses;

(2) Examine/Estimate/Record vehicle damage;

(3) Examine/record effects of collisions on the roadway

14. Collecting/Preserving Evidence

a. Police officers will collect available evidence from collisions involving on-scene fatalities or where potential for a fatality is obvious to the investigating police officer.

b. In other collision situations, police officers should collect physical evidence if it is present at the scene of a traffic collision.

c. Police officers will follow established policies and procedures for the collection, preservation, and submission of evidence as outlined in the Emporia Police Department Policy and Procedures Manual, Chapter 38.

D. Fire Hazards

1. Police officers shall assess the fire hazard and determine if it can be suppressed by using a fire extinguisher. Police officers should attempt to extinguish the fire, if they can do so without endangering themselves or others, until relieved by Fire Department personnel.

2. If the fire cannot be suppressed by the police officer, the police officer shall notify the Communications Center of the situation and have the Greensville County Volunteer Fire Department respond to the scene.
3. Upon notifying the Fire Department, Emporia Police Officers should begin to evacuate all persons in the area, assist any injured victims, and isolate the area to prevent unauthorized persons from entering the scene.

E. Hazardous Materials

1. Hazardous material is defined as any element, compound or combination, which is flammable, corrosive, explosive, toxic, radioactive, an oxidizer, or is highly reactive and may have a detrimental effect to emergency personnel, the public, equipment, or the environment.

2. A traffic collision or spill involving a hazardous material presents a serious threat to the health and safety of the public. The first officers on the scene are frequently the most vulnerable and should adhere to the following procedures:

   a. Request the Greensville Volunteer Fire Department. The police officer shall request Fire/Rescue personnel to respond to the collision scene. Hazardous material situations are usually under the direction and control of Emporia Fire/Rescue; therefore, Emporia Police Department personnel shall coordinate their efforts with Fire/Rescue personnel.

   b. Officers should be aware that any traffic collision involving a cargo vehicle is a potential hazardous material incident. When there is a question whether material at a collision scene may be hazardous, officers shall avoid contact with the material and will keep others from contact with the material. The Fire Department and Emergency Services will be requested to identify any possible hazardous materials.

   c. Police officers responding to collisions involving possible hazardous material spills shall be responsible for securing a perimeter around the scene, evacuating all persons from within the perimeter, and notifying other responding units that a possible hazardous material spill has occurred.

   d. Prepare to evacuate the immediate area, staying clear of all spills, vapors, fumes, and smoke. Do not assume that gases or vapors are harmless because of lack of odor.

   e. Isolate the hazard and maintain surveillance of the area in a position upwind from the material.

   f. Regulate traffic and monitor crowd control to allow Emergency Services to handle the control and removal of the hazardous material.

   g. At the direction of the Greensville Volunteer Fire Department, assist with any evacuation.

3. If any employee is exposed to a hazardous material he/she will notify their supervisor immediately, who will report the exposure following the guidelines for reporting employee injuries. The employee shall receive a medical evaluation when:

   a. The employee is exposed to a hazardous substance with concentration levels that are above the permissible exposure levels as determined by the Greensville Volunteer Fire Department.

   b. The employee is injured due to exposure to a hazardous substance.

   c. When the employee suffers symptoms from exposure to hazardous materials.

4. Because Emporia Police Officers are only trained on Hazardous Materials Awareness and do not have proper protective gear, officers shall not attempt to approach the scene of a verified hazardous material spill. To the extent possible, officers should remain upwind at a distance of at least 500 feet and wait for response from the Fire Department, thus avoiding exposure of all gases, fumes, and smoke.

5. The police officer should attempt to identify the material by the container placard, container labels, shipping papers, and/or knowledgeable persons at the scene if possible, but shall not enter the perimeter in the attempt. The use of binoculars, interviewing the driver away from the scene, or viewing papers the driver may have on his person are all possible means of identification.

6. All Emporia Police Department vehicles are assigned a U.S. Department of Transportation EMERGENCY RESPONSE GUIDEBOOK. This guidebook is designed to assist in making initial decisions upon arriving at the scene of a hazardous materials incident. All Emporia police officers should familiarize themselves with the guidebook and how to use it.
7. If an actual emergency exists, Emporia Police Officers need to contact CHEMTREC at 1-800-424-9300.

32.2.4 TRAFFIC COLLISION FOLLOW-UP INVESTIGATION

A. Police officers assigned to investigate traffic collisions may suspend an investigation pending follow-up activities to develop additional information or evidence to include:

1. Collecting Off-Scene Data– Driver's history information; vehicle title, registration, insurance or other status information; other necessary information and data.

2. Obtaining/Recording Formal Statements from Witnesses– Individuals hospitalized from injuries; drivers, passengers, and other witnesses not immediately available for interview.

3. Reconstructing Collisions

4. Preparing formal reports to support any violations of criminal or traffic charges arising from the collision

B. Use of Expert or Technical Assistance

1. Police officers assigned to investigate traffic collisions are authorized to seek expert and technical assistance from the Virginia State Police.

2. Police officers should consider the nature of the collision when seeking external technical assistance.

3. Appropriate expert and technical assistance may include but is not limited to:

a. Laboratory analysis of evidence from collisions;

b. Mechanical inspections of vehicles or vehicle parts;

c. Crash reconstruction assistance from qualified individuals or agencies.

32.2.5 PROPERTY SAFEKEEPING

A. The investigating officer at the scene of a collision shall ensure that personal property belonging to a collision victim is protected from theft and is removed to a place of safekeeping if the owner is unable to care for it. When an injured person is removed from a collision scene, and their vehicle must be towed, procedures in General Order 32.3.7, *Abandoned Vehicles/Towing Policy/Towing Records,* shall be followed.

B. Non-reportable collisions will require the Officer to complete an exchange of information form and enter the information in the CAD system.

32.2.6 TRAFFIC COLLISION CLASSIFICATION

A . All officers shall file an FR-300 on every reportable collision investigation. Upon completion of an investigation and the FR-300 the Officer electronically submits the collision report DMV through the TREDS system within 24 hours. All information required by the Code of Virginia 46.2-373, shall be included in the report.

32.2.7 DEPARTMENTAL/OFFICER-INVOLVED MOTOR VEHICLE COLLISIONS

A. Emporia Police Department sworn and non-sworn employees who are assigned a City vehicle will receive training in proper driving techniques to minimize the frequency of motor vehicle collisions involving City vehicles.

B. The Department will hold accountable those employees who are involved in an avoidable motor vehicle collision while correcting any identified driving related deficiencies through additional training, guidance, counseling and, if appropriate, disciplinary action.

C. Procedure:

1. Vehicle crashes whether they are reportable or non-reportable involving police vehicles will be investigated by the On-Duty Supervisor and reported on the FR300-P report.

2. If the motor vehicle crash is investigated within the Department, the on-duty supervisor will complete the crash report prior to the ending of their shift. If additional follow-up is needed, the initial report will be submitted and follow-up reports will be filed as needed.

3. Enforcement guidelines shall be the same for police personnel as they are for the public as set forth in Chapter 32.1-Traffic Enforcement of this General Orders Manual.

4. Any police vehicle crash involving serious bodily injury or death will be investigated by the Virginia State Police.

5. Involved Employee’s Responsibilities:

    a. Any departmental employee involved in a motor vehicle crash while operating a departmental vehicle, regardless of duty status, injury, or amount of damage, will immediately notify the on-duty Supervisor.

b. Employees shall make no statements except to the investigating officer, supervisor, Chief of Police, or other appropriate departmental or city official.

c. Any Officer involved in a motor vehicle crash will submit a Blue Team entry prior to the end of their tour of duty and submit it to their Sergeant or Lieutenant and copy the command group.

6. Supervisor's Crash Review Responsibilities:

a. The on-duty supervisor will respond to the scene of any departmental motor vehicle collision to ensure that a thorough crash investigation is conducted in accordance with policy, and includes a complete motor vehicle crash report, eyewitness interviews, photographs, measurements, and any additional collection of evidence.

b. When any departmental motor vehicle crash involves obvious significant injury to any person or property the on-duty Supervisor shall contact Command Staff. The Virginia State Police will be requested to conduct the investigation.

c. Additionally, if the on-duty Supervisor has reason to believe that potentially serious circumstances exist regarding the involved employee that is outside the "significant injury to a person or property" the supervisor shall contact the Command Staff regarding possibility of the Virginia State Police taking over the investigation.

d. The Chief of Police is responsible for contacting the City Manager. The City Manager will be notified of all collisions that occur during normal business hours. The Chief of Police will ensure that the City Manager is notified immediately, regardless of day or time, when any city owned vehicle is involved in a motor vehicle crash that involves personal injury or extensive property damage.

e. The on-duty Supervisor will ensure that a copy of the completed crash investigation is forwarded to the City Manager's Office.

f. The on-duty Supervisor shall plan to notify the owner of any property damaged in a crash involving any city

vehicle. This notification or the attempt shall be noted in a supplement to the crash report.

g. A supervisor will complete a Crash Investigation Report.

h. The Section Sergeant or Lieutenant is responsible for conducting the administrative review of the motor vehicle collision.

i. The reviewing supervisor will decide and assign the appropriate factors as to:

(1) Whether the crash was avoidable or unavoidable on the part of the employee;

(2) Contributing factors involved;

(3) Injury factors involved;

(4) Damage factors.

j. Beginning with the employee's immediate supervisor, a review of the crash report will determine a classification of either ***Unavoidable / Excusable or Avoidable***.

(1) Unavoidable / Excusable: the driver followed proper procedure and did everything possible to avoid the crash.

(2) Avoidable: the driver did not follow proper procedure and/or did not do everything possible to avoid the crash.

(3) If the finding is that the crash was ***Unavoidable /Excusable***, then no further action will follow. If the crash is classified as ***Avoidable***, the crash will be classified by the investigation supervisor by the terms below. Severity is classified as follows:

(a) ***Very Minor***. For example, a vehicle scrapes bumps or otherwise contacts a fixed object or vehicle while making some sort of maneuver. This type of incident typically incurs minor damage totaling $1,500 or less.

(b) ***Minor***. A crash that results in property damage exceeding $1,500, but not exceeding $5,000. No crash resulting in personal injury or death will be classified as "Minor."

(c) ***Major***. Crashes resulting in property damage exceeding $5,000 or resulting personal injury or death.

k. Once the respective supervisor has examined the crash details and decides of severity, disciplinary recommendations will be made using the following guidelines:

(1) ***Very Minor*** – the sergeant or lieutenant shall conduct a documented counseling, unless circumstances warrant progressive discipline.

(2) ***Minor*** – an oral reprimand to be placed in the employee's evaluation folder, unless circumstances warrant progressive discipline.

(3) ***Major*** – a written reprimand to be placed in the employee's evaluation folder as well as in the permanent personnel folder. Additional and/or more severe disciplinary action can be imposed if crash circumstances or progressive discipline is warranted.

7. If the crash is investigated by the Virginia State Police, the involved officer will be responsible for completing the Blue Team report and submitting that report to either the Sergeant or Lieutenant.

8. All disciplinary actions above a written reprimand will be at the discretion of the Chief of Police, in accordance with disciplinary procedures, to include a disciplinary hearing.

32.3 TRAFFIC DIRECTION AND ANCILLARY SERVICES

32.3.1 ENGINEERING COMPLAINTS

A. Officers that become aware of possible traffic engineering deficiencies shall conduct an investigation and report their findings to the Department of Public Works. The officer shall submit their findings to the Chief of Police, through the chain command, who will correspond the problems to the director of Public Works.

B. The Special Operations Lieutenant will notify the Public Works Supervisor of any tarnished signs that need to be replaced or added throughout the City.

32.3.2 TRAFFIC DIRECTION AND CONTROL

A. At traffic collision scenes, officers will utilize the police vehicles emergency lights, traffic cones, flares and other appropriate warning devices to protect the scene and alert approaching traffic. Officers shall wear their traffic vests while outside of their vehicle at traffic collisions scenes. The scene should be cleared of vehicles and debris as soon as possible. Once cleared, the officer shall promptly remove flares, traffic cones and other warning devices that were used to protect the scene.

B. If damage occurs requiring that a roadway be closed for an extended period, officers shall request that the Department of Public Works provide barricades or other traffic control devices.

C. Traffic direction will be in accordance with the Code of Virginia, 46.2-1309, as follows:

1. To stop traffic by hand, stand with shoulders parallel to moving traffic, raise arms 45° above shoulders with hand extended, and palm towards moving traffic to be stopped;

2. To move traffic by hand, stand with shoulders parallel to traffic to be moved, extend right arm and hand full length at height of shoulders towards such traffic, fingers extended and joined, and palm down, bring hand sharply in direction traffic is to move, repeat movement with left arm and hand to start traffic from opposite direction.

3. To stop and start traffic by whistle: one blast signals moving traffic to stop, and two blasts signal traffic in opposite direction to move.

4. To make an emergency stop of traffic by whistle: three or more blasts signal all traffic to immediately clear the intersection and stop.

D. Officers shall utilize the following equipment while directing traffic:

1. High visibility traffic vest;

2. Police whistle for audible signaling;

3. Flares or flashlight cone to illuminate hand movements during darkness;

4. Flares or traffic cones to designate the officer's position in the roadway as deemed necessary by the officer.

E. The supervisor, at his or her discretion, may order that a traffic signal be manually operated by an officer whenever the traffic signal is malfunctioning, or to facilitate the movement of traffic during a collision or emergency, or to provide a thoroughfare for a motorcade, or to relieve a heavy concentration of traffic. Supervisors shall be responsible for familiarization training for their officers prior to assigning them a traffic signal to operate. Traffic signals may only be placed in the flash mode with supervisory approval.

F. Temporary traffic control devices will be used for prescheduled events or in emergencies. The devices will normally be placed by the Department of Public Works, at the direction of the supervisor. Temporary traffic control devices may include barricades, detour signs and other descriptive signs, traffic cones, flares, or police vehicles. Officers shall constantly check on the condition of the location to ensure there is no deterioration of safety. Devices should be removed as soon as possible.

G. Officers who arrive on the scene of a fire prior to the Fire Department will assess the hazards and take action to minimize further threat to life and property. These actions may include evacuating the endangered area and directing traffic. Officers will provide perimeter services to allow unrestricted access to the scene by emergency vehicles and personnel. Unauthorized vehicles and pedestrians will be restricted from entry to the area and from interfering with emergency personnel. Officers will assist the Fire Department in implementing on-site plans. Volunteers arriving in private vehicles will be allowed to park at the edge of the police perimeter unless conditions necessitate otherwise.

H. Adverse road conditions may arise from hazards such as downed power lines or road construction, or from natural causes such as fog, flooding, ice or snow. Officers shall notify the Communications Center immediately of the existence of these types of conditions. Officers shall immediately assess the situation and initiate corrective measures to ensure safety for the motoring

public. Corrective measure may include closing roadways, setting up detour routes, or utilizing officers to provide on-scene traffic direction. Additionally, the Department of Public Works and an appropriate utility company would be notified when appropriate.

32.3.3 ESCORTS

A. Emergency Escorts - Due to the close proximity of fire and rescue services and hospital emergency room, emergency escorts are prohibited.

B. Non-Emergency Escorts

1. Officers handling non-emergency escorts require no other authority than a directive from a communications officer.

2. A non-emergency escort includes, but is not limited to, funerals, oversized vehicles, unusual/hazardous cargoes, or VIP escorts.

3. For officers working traffic direction for a non-emergency escort will exit their police vehicle and work the intersection with their reflective vest on.

4. Officers involved with the escort shall establish the route, any necessary point traffic control, and the pace of the vehicles prior to the beginning of the escort.

5. The escort will be terminated if conditions arise that would present a risk to the public. The supervisor will be notified immediately of the officer's decision prior to termination.

32.3.4 ROADBLOCKS

A. See General Order 22.2.2, *Pursuits of Motor Vehicles,* for rolling and stationary roadblock. See General Order 33.1.8, *Traffic Stops and Roadchecks,* for roadchecks.

32.3.5 ASSISTANCE TO MOTORISTS

A. The Department will offer assistance to stranded motorists whenever possible. Officers will help motorists obtain fuel, repairs or towing services.

B. Officers shall be constantly alert for motorists who appear to need assistance. In an effort to better serve the community, officers

shall be familiar with the streets, services and facilities in the City that would be available to motorists. By offering prompt knowledgeable assistance, the overall hazards to the disabled motorist and the users of the roadway are significantly reduced.

C. Tow - When it becomes necessary to tow a vehicle pursuant to this chapter, all requests for tow trucks will be directed through the Communications Center.

1. The Emporia Police Department will maintain a separate list of wrecker services for standard and large vehicle tows.

2. The Emporia Police Department will follow a rotating list of wrecker services, which is maintained in the Communications Center.

3. The Emporia Police Department will utilize licensed towing services from the City of Emporia and Greensville County.

4. Any police officer who initiates a vehicle tow, shall receive approval from their immediate supervisor, prior to having Communications contact the next available wrecker.

    a. Vehicles that are a traffic hazard;

    b. When the operator of a vehicle is arrested and there is no licensed driver to operate the vehicle;

    c. When the vehicle is involved in a 30-day impoundment.

5. When a police officer initiates a tow of a vehicle, the dispatcher will contact the next wrecker on the list, or a wrecker at the request of the owner.

6. If the owner's preference would cause an undue delay in the traffic problem, then the owner of the vehicle would be advised that the next wrecker on our list will be contacted.

7. If the wrecker service on the rotating list is unavailable or unable to provide the wrecker service to the Police Department, then they will fall to the bottom of the list.

D. Officers shall be alert to hazards created by disabled vehicles. These hazards affect stranded motorists and other users of the roadways. Officers shall take action to reduce these threats by safely directing the traffic flow around disabled vehicles and/or transporting stranded motorist to a safe location where assistance may be rendered. When transporting citizens, officers shall give the Dispatcher their starting and ending mileage.

E. Locked Vehicle Assistance - Officers of the Emporia Police Department will **NOT** routinely open vehicles where the keys have been locked inside. The only exception to this is when a child or animal has been locked inside and there is a danger to the health and welfare of the child or animal.

F. If an officer must leave a disabled motorist, the scene should be rendered safe with flares or warning devices. Officers should periodically check the scene to ensure the condition does not deteriorate. If the scene cannot be made safe due to weather condition, geographic location, or intensity of traffic, the officer shall stand by until the vehicle is removed.

G. Officers who assist disabled motorists shall remain alert to the following possibilities:

1. The vehicle's occupants are wanted or have been engaged in criminal activity.

2. The vehicle in the possession of the motorist has not been authorized for their use.

3. The vehicle is unsafe to operate.

4. The motorist is not licensed to drive.

5. The motorist is impaired and is not able to safely operate the vehicle.

H. Officers may assist disabled motorists by obtaining a tow service as outlined in General Order 33.3.7, *Abandoned Vehicles/Towing Policy/Towing Records*.

I. Officers will render assistance to users of the roadways that are involved in emergency situations.

1. Upon discovery of a vehicle fire, officers will immediately notify the Communications Center of the location, type of vehicle and cargo information if necessary. Fire suppression will be provided by the officer when practical.

2. Upon discovery of medical emergency, officers will notify the Communications Center of the location, type of emergency and condition of the patient and request fire and rescue to respond. First aid assistance will be provided by the officer after the request for fire and rescue has been acknowledged.

32.3.6 HAZARDOUS ROAD CONDITIONS

A. Hazardous road conditions include but are not limited to:

1. Defects in the road (holes, ruts or dangerous shoulders);

2. Defects in, or lack of, highway safety features, or improper damaged;

3. Destroyed or visually obstructed traffic or informational signs;

4. Malfunctioning, improperly located, or lack of traffic control devices;

5. Malfunctioning or lack of highway lighting;

6. Natural or man-made obstructions (fallen trees, wires, litter, debris, vehicle parts or high water);

7. Ice or snow accumulation on road surfaces;

8. Vehicles parked or abandoned that obstruct the roadway;

B. The following are procedures for reporting and correcting hazardous road conditions:

1. When a hazard is identified, and in the officer's opinion requires immediate correction (such as a fallen tree or electrical wires in the road), the officer will notify the Communications Center and request the assistance necessary to rectify the situation. The Officer will secure the scene and stand by until the area is made safe.

2. If the Officer identifies a hazard that the officer can correct, such as a vehicle part in the road, then the officer shall correct it.

3. When an Officer identifies a hazard, which they perceive does not pose an imminent threat to public safety, the Officer will have the Communications Center contact the Department of Public Works or VDOT and advise them of the situation.

32.3.7 ABANDONED VEHICLES, TOW POLICY, TOWING RECORDS

A. <u>Abandoned Vehicles</u>

1. An officer locating or receiving a complaint of an abandoned vehicle will attempt to have the matter corrected before towing the vehicle. The officer shall determine that there is no wanted or stolen status on the vehicle, identify the owner if possible, and attempt to have the vehicle removed by the owner.

2. If the officer is unable to have the abandoned vehicle removed, the following procedure will be followed in accordance with City Ordinance 74-141.

a. Whenever any motor vehicle, trailer or semi-trailer is:

(1) Left unattended on a public highway or other public property and constitutes a traffic hazard;

(2) Illegally Parked;

(3) Left unattended for more than ten (10) days either on public or private property without the permission of the property owner, lessee, or occupant;

(4) Immobilized on a public roadway by weather conditions or other emergency situation

b. If any of the above conditions exist the vehicle may be towed and impounded for safekeeping at the direction of a police officer to a storage garage or area.

c. To determine if a vehicle has been abandoned, the following criteria apply under City Ordinance 74-141. If the vehicle lacks:

(1) a valid Virginia registration,

(2) a valid Virginia inspection,

(3) and has not been moved in four (4) days.

d. If the vehicle is parked on private property without the permission of the property owner, it can be removed by the property owner.

3. The supervisor shall be notified by the officer prior to a tow request for an abandoned vehicle. Upon supervisory approval, the officer shall follow procedures set forth in General Order 33.3.5, *Assistance to Motorists*.

4. Abandoned vehicles shall only be towed after all other efforts to have them removed have been exhausted.

B. Towing vehicles

1. When a vehicle is towed at the direction of a police officer, the officer shall verify the identification and assess the physical condition of the operator of the vehicle (if applicable). Additionally, the officer shall run the vehicle license and vehicle identification number and be alert for contraband, weapons, or irregularities that may be in plain view. When a vehicle is towed, an officer will remain at the scene to ensure the tow company called is the one who takes the vehicle. Only the

vehicle keys will be given to the tow truck driver. All other keys are given to the owner or held for safekeeping by the Department.

2. Officers may direct that a vehicle be towed for one of the following reasons:

   a. Safekeeping;

   b. Impoundment;

   c. Seizure.

3. Safekeeping – Vehicles towed for safekeeping may include recovered stolen vehicles. Upon the recovery of a stolen vehicle the originating agency will be contacted immediately. Recovered stolen vehicles will be processed at the scene and turned over to the owner or wrecker service from the rotating list, which is kept in the Communications Center. If the owner cannot be contacted, the vehicle will be towed and financial responsibility will be the owner's. The officer assigned to the case will have the responsibility of notifying the owner of the location of the vehicle and the procedure for claiming it.

4. Impoundments - An impoundment is defined as the towing of a vehicle under circumstances where the vehicle may be released to the owner upon payment of towing and storage fees. Those circumstances are as follows:

   a. Arrest of operator and no other person present can lawfully assume custody of the vehicle with the owner's consent.

   b. Vehicle has evidentiary value in and of itself in a criminal investigation and will be released after the case has been brought to a conclusion.

   c. Vehicle is abandoned as described in subsection A., of this General Order.

   d. Vehicle is disabled by a collision or mechanical breakdown, or stopped in the vicinity of a fire, collision or emergency scene and is a hazard or interference to fire or police personnel.

   e. Vehicle obstructs movement on any premise without the owner's permission.

   f. Vehicle is parked in violation of law.

g. Vehicle is unsafe to operate due to mechanical deficiencies such as brakes, steering or tires.

h. When the driver of the vehicle is in violation of Virginia Code Section 46.2-301.1, the violator shall be given a copy of the *Notice of Rights to Judicial Review of Impoundment Form*.

5. Impounded vehicles will be processed for evidence prior to a towing request if processing is necessary. If a vehicle needs to be brought to the EPD for processing, approval from the supervisor is necessary. After processing, the vehicle shall be released to the owner. All impounded vehicles will be stored by the tow service at their lot.

6. Seizures - A seizure is defined as the towing of a vehicle that is subject to forfeiture to the Commonwealth. All seized vehicles will be stored at the tow service lot until final court disposition. Vehicle may be seized for:

   a. Racing on the highway and occupied by owner during the offense.

   b. Illegal transportation of alcoholic beverages or transportation of illegal alcohol.

   c. Transporting of stolen property valued at $500.00 or more.

   d. Being used in connection with the illegal manufacture, sale or distribution of a controlled substance.

7. Inventorying Towed Vehicles

   a. The officer towing a vehicle will be responsible for conducting an inventory prior to leaving the scene, unless the vehicle is being towed to a police facility for processing or storage.

   b. Any vehicle towed at an owner's request will not be inventoried.

   c. The scope of the inventory shall include the interior of the vehicle and areas that can be entered without the use of force. The glove compartment, console or trunk is within the scope of the inventory if unlocked or entry can be made with the keys to the vehicle. The

inventory shall be conducted in a manner to avoid damage to the vehicle or its contents. All locked containers within the vehicle will be opened if accessible and can be done without doing any damage. The inventory is conducted for protection of the owner's property in the vehicle and protection of the officer so that unjustified claims of theft can be prevented.

d. Towing companies on the rotating list are responsible for the vehicle and its content until released to the owner or disposed of by law. Items discovered during the course of the inventory will normally remain with the vehicle. Contraband or items with evidentiary value in a criminal investigation shall be removed and processed in accordance with current evidence procedures. The officer may remove any item that, in the officer's opinion, will not be properly protected while at the storage facility. These items will be stored in accordance with current procedures for the safekeeping of property.

8. Release of Towed Vehicles - Prior to the release of any vehicle, the following conditions must be met:

a. Proof of ownership.

b. Payment of towing and storage fees.

c. Approval by the appropriate police personnel, if applicable.

d. Approval of court personnel, if applicable.

e. An inquiry by a communications officer through NCIC to determine if the vehicle has been reported stolen or is wanted by another agency.

9. Duties of Towing Officer –

a. An Impoundment Form shall be completed when a tow truck is requested by a police officer. If it is not possible to notify the owner of the location and conditions for release of the vehicle at the time of the tow, the below procedure will be followed:

a. Owner's name and address, and names and addresses of all persons with a security interest, will be compiled by

the towing officer. This information can be obtained through DMV.

b. The officer's supervisor will ensure the list and the motorist's copy of the Tow/Impoundment Form are forwarded to Records prior to the end of the tour of duty.

d. A Tow/Impoundment Form shall be completed whenever a vehicle is towed from private property at the direction of a police officer. The CAD report shall contain as complete a description of the vehicle as possible, including license and vehicle identification number, and be signed by the private property owner or lease information. The form shall be submitted along with the report to Records.

10. Duties of the Communications Officer

a. The officer assigned to remove or tow a vehicle will determine whether the owner or driver of the vehicle has preference for a tow company. If the owner or driver does not have a preference then the Communications Officer will utilize the rotating wrecker list that is located in the CAD system.

b. The Communications Officer will document the removal/ tow of the vehicle in the CAD system.

c. The towing officer will complete the tow form that will include the date, time, location of removal or tow, officer assigned, reason for removal or tow, whether any charges are pending, which tow company was utilized, location of the vehicle

32.3.9 TRAFFIC SAFETY EDUCATIONAL MATERIAL

A. The purpose of this program is to encourage compliance and support for traffic safety enforcement. The Special Operations Section will prepare, maintain, coordinate and disseminate traffic safety educational materials for the motoring public.

32.3.10 USE OF SPEED SIGN

A. The Speed Sign is a valuable piece of traffic safety equipment that serves a dual purpose. The first purpose is that the speed sign serves as a traffic education tool utilized by the EPD to enhance its mission of providing traffic safety service to the community. The second purpose is to serve a traffic measurement system that provides data regarding vehicle volume, speed and other information in various time increments as programmed by the EPD.

B. Proper maintenance, training of personnel and the establishment of specific procedures outlining its use will ensure that the Speed Sign continues to play an important role in maintaining public safety.

C. Location Analysis - The criteria for determining the locations where the Speed Sign is to be utilized will be based on the following factors:

1. Citizen complaints.

2. Identified directed traffic enforcement areas based on the monthly traffic collision analysis conducted by the Special Operations Lieutenant.

3. Input from patrol officers, supervisors, the Chief of Police, the City Manager, or members of the City Council.

4. Data obtained from traffic/speed measurement equipment.

5. All deployments will be made in a manner that does not hamper the flow of traffic or create a hazard.

C. Frequency of Use - The Speed Sign should be deployed at a different location daily to ensure its maximum effectiveness, and returned nightly to the Department for recharging. The Special Operations Lieutenant will be responsible for the take down and setup of the Speed Sign. Other shifts may be called upon to perform this duty, as the need arises. Each shift will check the operation of the Speed Sign during their tour duty, to ensure the Speed Sign is functioning properly.

D. Speed Sign Scheduling - It will be the responsibility of the Special Operations Lieutenant to establish and maintain a monthly schedule for the placement of the Speed Sign. The Operations Division Commander may make changes in this schedule as needed. Each patrol supervisor may submit a list of locations for consideration for the Speed Sign deployment to the Special Operations Lieutenant. The Special Operations Lieutenant should release the Speed Sign planned schedule to the media as a part of the Department's message to the public about the importance of traffic safety.

E. Training – The Special Operations Lieutenant ensures that each officer receives training regarding the procedures for the setup and takedown of the Speed Sign.

32.3.11 MESSAGE BOARD

A. The department's message boards is designed to provide information to the community. The public safety announcements could be for

traffic hazards, road work or public utilities being conducted, current or up-coming events that are being held, messages for special events.

B. Location of the Message Boards

All deployments will be made in a manner that does not hamper the flow of traffic or create a hazard.

C. Frequency of Use

The Message Boards should be used when necessary to put out an important message to the community. The message boards should only be used to maximize its effectiveness, and returned nightly to the Department for recharging.

D. Set-up and Take-down of Message Boards

The Special Operations Lieutenant is responsible for the take down and setup of traffic classifiers. Other shifts may be called upon to perform this duty, as the need arises.

D. Message Board Scheduling

It is the responsibility of the Special Operations Lieutenant to establish and maintain a monthly schedule for the placement of the message boards.

E. Training

The Special Operations Lieutenant will ensure that each officer receives training regarding the procedures for the setup and takedown of the message boards.

33.1 PRISONER TRANSPORT OPERATIONS

33.1.1 PRISONER SEARCH

A. The transporting officer shall thoroughly search a prisoner prior to placing the prisoner in the transport vehicle. Officers shall never assume the prisoner has been searched or does not possess a weapon or contraband, and shall conduct a search of a prisoner each time the prisoner comes into the custody of the officer after visual contact has been lost.

33.1.2 VEHICLE INSPECTION/SEARCH

A. Officers shall inspect their police vehicles prior to the beginning of their shift.

B. Officers shall search transport vehicles prior to and after the transport of a prisoner to ensure that no weapons, contraband or personal property is available to the prisoner or is left behind by the prisoner. All contraband or property seized shall be logged into the Property and Evidence Room.

33.1.3 PRISONER TRANSPORTATION

A. Officers shall transport prisoners in police vehicles with a safety barrier when available. The prisoner will be placed in the rear seat opposite of the driver of the vehicle. Officers shall take the most direct route to their destination. Prisoners shall not be transported in the front seat of a police vehicle without specific permission of the on-duty supervisor

B. If a prisoner who must be transported in a vehicle without a safety barrier, the officer will place the suspect in the front seat, handcuffed in the rear and seat belted in.

C. Prisoner transports that are out of the jurisdiction will be conducted by the Emporia Police Department or on occasion the Emporia City Sheriff's Office.

33.1.4 VISUAL OBSERVATION

A. The primary duty of the transporting officer is the safe delivery of the prisoner. Transporting officers shall not routinely engage in other law enforcement activities while transporting prisoners.

B. When non-emergency situations arise requiring police intervention, the transporting officer shall notify the Communications Center to

contact an officer to handle the incident. The transporting officer should only intervene under extreme emergency conditions where the risk to the prisoner is minimal.

C. If the transporting officer stops, he/she shall notify the Communications Center of the nature and location of the incident and the assistance necessary.

D. The transporting officer will not become involved in any situation that would create a risk of harm to the prisoner.

E. Transporting officers shall visibly observe prisoners in their custody at all times. If a prisoner is not viewed while using toilet facilities, officers shall ensure that there are no escape routes within the facility and there are no potential weapons available to the prisoner.

33.1.5 PRISONER COMMUNICATION

A. Prisoners will not normally be allowed to communicate with attorneys or others during transport. Should an unusual circumstance arise which would necessitate an exception to this policy, the transporting officer will be the individual responsible for monitoring the communication.

33.1.6 TRANSPORTATION BETWEEN DETENTION FACILITIES

A. Transportation between facilities:

1. Prior to transporting a detainee to, or accepting custody of a detainee from, a detention facility, the Emporia Police Officer assigned to transport the detainee shall verify the detainee's identification through booking records, identification numbers, photographs, or other appropriate means.

2. The Emporia Police Department does not routinely transport detainees between detention facilities, except as part of an active criminal investigation. Emporia Police Department personnel transporting a detainee shall ensure that the appropriate documentation accompanies the detainee during transport and will be delivered to the receiving facility upon arrival. Documentation, or at least copies of that documentation, should accompany the detainee.

3. This documentation should include:

a. Positive identification of the detainee, including photograph;

b. Arrest information;

c. Personal property information;

d. Medical records;

e. Any other pertinent records.

4. If there is a potential security risk or other risk requirement regarding a detainee being transported by the Emporia Police Department, the transporting officer should provide to the personnel assuming custody of the detainee information about the risk. Special circumstances may include:

a. Potential risk of escape;

b. Suicidal or violent tendencies;

c. Particular personality traits;

d. Illness or medical condition.

B. Transportation of Out-of-Town or State Detainees

1. When traveling out-of-town or state for the purpose of extraditing detainees, different jurisdictions require different documentation for the release of detainees. Police officers should coordinate all extradition through the Commonwealth Attorney's Office and should ensure prior to embarking on an extradition that all necessary certified documents are obtained. All extraditions shall require the authorization of the Chief of Police.

2. In the case of interstate transports, the transport officer should at least have documentation of:

a. Properly executed, certified copies, governor's warrant or waiver of extradition when appropriate;

b. Copies of receipts for the detainee and property;

c. Appropriate custody order or release order.

3. Police officers shall document such notification in the narrative portion of the arrest report. Transfer of custody to a detention facility, including date and time, committing magistrate, and place confined shall be documented on the appropriate arrest report.

C. Procedures for Officers upon Arrival at Detention Facilities

1. When transporting detainees to a detention facility or mental health institutions, Emporia Police Department personnel shall adhere to the policies and procedures of the receiving facility.

2. Prior to entering secure areas, police officers will store their weapons in lockers or other secured areas according to the procedures of the receiving facility. If the facility does not provide secured storage for weapons, Emporia Police officers should utilize the trunk of their police vehicles to store their weapons prior to entering secure areas.

3. Restraints should be removed from detainees in accordance with the established procedures of the receiving facility or otherwise at the direction of the individual accepting custody of the detainee. Police officers should be prepared to assist the individual accepting custody of the detainee after the restraints have been removed in case the detainee becomes violent. The police officer should provide assistance to the receiving facility to secure the detainee as necessary.

4. The transporting officer will be responsible for ensuring all necessary paperwork is properly submitted with regard to the transfer, and ensure that signatures are obtained on forms to be returned to the Department.

33.1.7 ESCAPES

A. If a prisoner escapes the transporting officers shall immediately notify the Communications Center who will ensure that the on-duty supervisor is notified, along with on-duty patrol units. Additionally, the Greensville County Sheriff's Office, Emporia City Sheriff's Office and the Virginia State Police will be contacted and provided with the information in the look out.

B. The responsibility to call out any specialized units from other jurisdictions will rest with the on duty supervisor.

C. The transporting officer shall complete an incident report describing the facts surrounding the escape and all actions taken.

D. If an escape occurs during regular business hours (0800-1600) the Investigations supervisor will be notified.

E. The detective will then research departmental records for escapee's home address and phone number, other known addresses and phone

numbers and any alias, and known associates and their addresses as the first steps to establishing surveillance if it proves necessary.

F. If an escape occurs outside business hours, the on duty supervisor will notify the on-call detective who will conduct the same research and/or surveillance.

G. The Operations Division Commander will review the incident report to determine if any violation of General Orders or Regulations occurred, or if any remedial training is warranted. If it is determined that a violation of the General Order or Regulations occurred, the Operations Division Commander will bring this to the attention of the Chief of Police for further investigation as prescribed in Chapter 29, *Internal Affairs.*

33.1.8 SECURITY HAZARDS

A. When a prisoner being transported to a detention facility or a mental health unit is considered a security risk, or has any potential medical problems, the transporting officer will notify the appropriate correctional officer, deputy or medical personnel of such risk and request additional safeguards.

B. It is the responsibility of each officer to properly document all information known regarding a high security or medical risk.

33.2 RESTRAINING DEVICES

33.2.1 RESTRAINTS DURING TRANSPORT

A. Officers shall handcuff prisoners as soon as they are taken into physical custody. Prisoner's hands shall be handcuffed behind their back, with both of their thumbs in the "up" position. Handcuffs shall always be double-locked when put in use. Officers may decline the use of handcuffs due to extremes in age (young or elderly), injuries, disabilities, or other appropriate articulable circumstances.

B. Arrested persons being transported in a police vehicle will be secured with a seat belt.

C. The use of restraint devices to shackle the prisoner's legs may be utilized when the prisoner is an escape risk, may damage the police vehicle, or may assault the officer.

D. At no time shall a prisoner being transported be handcuffed or restrained to any part of the vehicle.

E. At no time should a prisoner be restrained and placed on his or her stomach in the police cruiser.

F. Flex cuffs may be used when handcuffs are not available or during multiple arrests. The flex cuffs will be used in the same manner as handcuffs.

G. If a suspect becomes combative the officers may utilize hobble restraints in accordance with Department use of force training.

H. Hobble restraints should never be affixed to a vehicle when using them on a prisoner.

33.3 SPECIAL TRANSPORT SITUATIONS

33.3.1 TRANSPORTING OPPOSITE SEX AND JUVENILES

A. The following procedure will be applied when an officer must transport a member of the opposite sex or a juvenile:

1. Upon beginning transportation, the officer will advise the communications officer of their starting location, vehicle mileage and destination.

2. Upon arrival at the destination the officer will advise the communications officer of their location and vehicle mileage.

3. No juvenile shall be transported with adults suspected of or charged with criminal acts. No juveniles under the age of 15 will be transported in a marked police cruiser without the permission of the on-duty supervisor.

33.3.2 SICK, INJURED, DISABLED PRISONERS

A. Physically and mentally handicapped prisoners may require special care and discretion during transport. Officers shall attempt to complete the transport in a manner that is convenient, comfortable and safe for both the prisoner and the officer. Common sense should be exercised when deciding whether restraints should be utilized. An ambulance will be summoned to transport prisoners who are seriously injured or ill, or in casts, neck braces, etc., and requires special assistance.

1. Sick and Injured Prisoners - The use of restraints shall not be used on a prisoner if restraints would further compound an illness or injury. In such cases, the officer shall notify their supervisor and request assistance. Any prisoner that is injured or becomes sick prior to, during or after the arrest will

be offered medical treatment immediately. Officers shall notify their supervisors immediately when medical treatment is necessary. Medical attention shall be sought before transporting the prisoner to the detention facility. Common sense shall be exercised when considering the use of restraining devices on a sick or injured prisoner.

2. Mentally Disturbed Prisoners - Restraining devices will be used if necessary to prevent injury to either the individual or officer. The decision to use restraining devices will be based on the totality of circumstances and the potential for violence exhibited by the individual. Mentally disturbed persons taken into custody shall be transported in a police vehicle with a safety barrier. Violent persons may require special restraints and transportation by ambulance to the detention facility or mental health unit. If ambulance transportation is used, a police officer will accompany the ambulance crew. Persons taken into custody will remain the responsibility of the officer until properly relieved by receiving personnel at the detention facility. Officers will use whatever restraints are necessary to protect all persons. Documentation of restraints used on mentally disturbed persons will be listed on the incident report.

3. Handicapped Prisoners - When handicapped prisoners are transported, the use of restraints will be a matter of officer discretion. It should not be assumed that restraining devices are not needed. If the situation indicates that failure to use restraining devices may lead to the escape of the prisoner or jeopardize the safety of anyone, then restraints should be used. The circumstances surrounding the arrest and the ability to conduct a thorough search prior to transport are among the factors to consider in the use of restraints.

33.3.3 MEDICAL CARE

A. Prisoners in need of emergency medical attention shall be delivered to the appropriate emergency facility by ambulance. Non-emergency transport may be via police vehicle or ambulance. Caution shall be taken to ensure the prisoner is isolated from other patients and is never left unattended or permitted to escape the immediate control of the officer. If the prisoner must be admitted, officers shall notify their supervisor immediately. Officers will remove restraints only when it is deemed necessary and they are requested to do so by the medical staff. The supervisor shall arrange a schedule for 24-hour control of the prisoner. The arresting officer shall be responsible for the security of the prisoner until properly relieved by another officer. If possible and

appropriate, the Commonwealth's Attorney or a magistrate will be contacted to explore alternatives in regards to the possible release of the prisoner from custody.

33.3.4 CUSTODY OF PRISONERS ASSISTING IN INVESTIGATION

A. During certain investigations, to assist with a case, it may become necessary to assume custody of a prisoner confined at the Southside Regional Jail. It is the policy of the EPD to assume such custody in a manner that upholds the safety of all persons. Custody of prisoners is to be assumed only when the prisoner's involvement in an investigation may provide significant information. The rights of the prisoner shall be respected at all times.

B. Procedures

1. Permission from the Chief of Police or a designee shall be obtained prior to assuming control of the prisoner.

2. Approval will be based on the following factors:

   a. The reason for utilizing the prisoner;

   b. The role the prisoner will play, such as locating sites of burglaries, stolen property, or identifying pertinent suspect information;

   c. The jurisdiction in which the operation will take place;

   d. Safety factors including the type of location to be visited, the time of day, or the degree of escape risk.

3. More than one officer shall be with the prisoner in all cases.

4. The use of handcuffs and other restraints will be used.

5. The Communications Center shall be kept apprised of the overall situation.

33.3.5 TRANSPORTATION DURING SPECIAL SITUATIONS

A. The Emporia Police Department **DOES NOT** transport detainees for the following special situations, this transportation will be accomplished by the Southside Regional Jail.

1. Attending Funerals;

2. Visitation to Hospital of Healthcare Facilities;

3. Critically Ill Persons;

4. Attending the Reading of a Will.

33.4 TRANSPORT EQUIPMENT

33.4.1 SAFETY BARRIER

A. Marked vehicles used primarily for prisoner transportation will be equipped with a safety barrier separating the driver and rear compartments. The safety barrier must permit conversation between the driver and persons in the rear compartment.

33.4.2 VEHICLE MODIFICATION

A. Vehicles with safety barriers will have the rear doors and windows rendered inoperable from the rear seat.

33.1 PRISONER TRANSPORT OPERATIONS

33.1.1 PRISONER SEARCH

A. The transporting officer shall thoroughly search a prisoner prior to placing the prisoner in the transport vehicle. Officers shall never assume the prisoner has been searched or does not possess a weapon or contraband, and shall conduct a search of a prisoner each time the prisoner comes into the custody of the officer after visual contact has been lost.

33.1.2 VEHICLE INSPECTION/SEARCH

A. Officers shall inspect their police vehicles prior to the beginning of their shift.

B. Officers shall search transport vehicles prior to and after the transport of a prisoner to ensure that no weapons, contraband or personal property is available to the prisoner or is left behind by the prisoner. All contraband or property seized shall be logged into the Property and Evidence Room.

33.1.3 PRISONER TRANSPORTATION

A. Officers shall transport prisoners in police vehicles with a safety barrier when available. The prisoner will be placed in the rear seat opposite of the driver of the vehicle. Officers shall take the most direct route to their destination. Prisoners shall not be transported in the front seat of a police vehicle without specific permission of the on-duty supervisor

B. If a prisoner who must be transported in a vehicle without a safety barrier, the officer will place the suspect in the front seat, handcuffed in the rear and seat belted in.

C. Prisoner transports that are out of the jurisdiction will be conducted by the Emporia Police Department or on occasion the Emporia City Sheriff's Office.

33.1.4 VISUAL OBSERVATION

A. The primary duty of the transporting officer is the safe delivery of the prisoner. Transporting officers shall not routinely engage in other law enforcement activities while transporting prisoners.

B. When non-emergency situations arise requiring police intervention, the transporting officer shall notify the Communications Center to

contact an officer to handle the incident. The transporting officer should only intervene under extreme emergency conditions where the risk to the prisoner is minimal.

C. If the transporting officer stops, he/she shall notify the Communications Center of the nature and location of the incident and the assistance necessary.

D. The transporting officer will not become involved in any situation that would create a risk of harm to the prisoner.

E. Transporting officers shall visibly observe prisoners in their custody at all times. If a prisoner is not viewed while using toilet facilities, officers shall ensure that there are no escape routes within the facility and there are no potential weapons available to the prisoner.

33.1.5 PRISONER COMMUNICATION

A. Prisoners will not normally be allowed to communicate with attorneys or others during transport. Should an unusual circumstance arise which would necessitate an exception to this policy, the transporting officer will be the individual responsible for monitoring the communication.

33.1.6 TRANSPORTATION BETWEEN DETENTION FACILITIES

A. Transportation between facilities:

1. Prior to transporting a detainee to, or accepting custody of a detainee from, a detention facility, the Emporia Police Officer assigned to transport the detainee shall verify the detainee's identification through booking records, identification numbers, photographs, or other appropriate means.

2. The Emporia Police Department does not routinely transport detainees between detention facilities, except as part of an active criminal investigation. Emporia Police Department personnel transporting a detainee shall ensure that the appropriate documentation accompanies the detainee during transport and will be delivered to the receiving facility upon arrival. Documentation, or at least copies of that documentation, should accompany the detainee.

3. This documentation should include:

a. Positive identification of the detainee, including photograph;

b. Arrest information;

c. Personal property information;

d. Medical records;

e. Any other pertinent records.

4. If there is a potential security risk or other risk requirement regarding a detainee being transported by the Emporia Police Department, the transporting officer should provide to the personnel assuming custody of the detainee information about the risk. Special circumstances may include:

a. Potential risk of escape;

b. Suicidal or violent tendencies;

c. Particular personality traits;

d. Illness or medical condition.

B. Transportation of Out-of-Town or State Detainees

1. When traveling out-of-town or state for the purpose of extraditing detainees, different jurisdictions require different documentation for the release of detainees. Police officers should coordinate all extradition through the Commonwealth Attorney's Office and should ensure prior to embarking on an extradition that all necessary certified documents are obtained. All extraditions shall require the authorization of the Chief of Police.

2. In the case of interstate transports, the transport officer should at least have documentation of:

a. Properly executed, certified copies, governor's warrant or waiver of extradition when appropriate;

b. Copies of receipts for the detainee and property;

c. Appropriate custody order or release order.

3. Police officers shall document such notification in the narrative portion of the arrest report. Transfer of custody to a detention facility, including date and time, committing magistrate, and place confined shall be documented on the appropriate arrest report.

C. Procedures for Officers upon Arrival at Detention Facilities

1. When transporting detainees to a detention facility or mental health institutions, Emporia Police Department personnel shall adhere to the policies and procedures of the receiving facility.

2. Prior to entering secure areas, police officers will store their weapons in lockers or other secured areas according to the procedures of the receiving facility. If the facility does not provide secured storage for weapons, Emporia Police officers should utilize the trunk of their police vehicles to store their weapons prior to entering secure areas.

3. Restraints should be removed from detainees in accordance with the established procedures of the receiving facility or otherwise at the direction of the individual accepting custody of the detainee. Police officers should be prepared to assist the individual accepting custody of the detainee after the restraints have been removed in case the detainee becomes violent. The police officer should provide assistance to the receiving facility to secure the detainee as necessary.

4. The transporting officer will be responsible for ensuring all necessary paperwork is properly submitted with regard to the transfer, and ensure that signatures are obtained on forms to be returned to the Department.

33.1.7 ESCAPES

A. If a prisoner escapes the transporting officers shall immediately notify the Communications Center who will ensure that the on-duty supervisor is notified, along with on-duty patrol units. Additionally, the Greensville County Sheriff's Office, Emporia City Sheriff's Office and the Virginia State Police will be contacted and provided with the information in the look out.

B. The responsibility to call out any specialized units from other jurisdictions will rest with the on duty supervisor.

C. The transporting officer shall complete an incident report describing the facts surrounding the escape and all actions taken.

D. If an escape occurs during regular business hours (0800-1600) the Investigations supervisor will be notified.

E. The detective will then research departmental records for escapee's home address and phone number, other known addresses and phone

numbers and any alias, and known associates and their addresses as the first steps to establishing surveillance if it proves necessary.

F. If an escape occurs outside business hours, the on duty supervisor will notify the on-call detective who will conduct the same research and/or surveillance.

G. The Operations Division Commander will review the incident report to determine if any violation of General Orders or Regulations occurred, or if any remedial training is warranted. If it is determined that a violation of the General Order or Regulations occurred, the Operations Division Commander will bring this to the attention of the Chief of Police for further investigation as prescribed in Chapter 29, *Internal Affairs.*

33.1.8 SECURITY HAZARDS

A. When a prisoner being transported to a detention facility or a mental health unit is considered a security risk, or has any potential medical problems, the transporting officer will notify the appropriate correctional officer, deputy or medical personnel of such risk and request additional safeguards.

B. It is the responsibility of each officer to properly document all information known regarding a high security or medical risk.

33.2 RESTRAINING DEVICES

33.2.1 RESTRAINTS DURING TRANSPORT

A. Officers shall handcuff prisoners as soon as they are taken into physical custody. Prisoner's hands shall be handcuffed behind their back, with both of their thumbs in the "up" position. Handcuffs shall always be double-locked when put in use. Officers may decline the use of handcuffs due to extremes in age (young or elderly), injuries, disabilities, or other appropriate articulable circumstances.

B. Arrested persons being transported in a police vehicle will be secured with a seat belt.

C. The use of restraint devices to shackle the prisoner's legs may be utilized when the prisoner is an escape risk, may damage the police vehicle, or may assault the officer.

D. At no time shall a prisoner being transported be handcuffed or restrained to any part of the vehicle.

E. At no time should a prisoner be restrained and placed on his or her stomach in the police cruiser.

F. Flex cuffs may be used when handcuffs are not available or during multiple arrests. The flex cuffs will be used in the same manner as handcuffs.

G. If a suspect becomes combative the officers may utilize hobble restraints in accordance with Department use of force training.

H. Hobble restraints should never be affixed to a vehicle when using them on a prisoner.

33.3 SPECIAL TRANSPORT SITUATIONS

33.3.1 TRANSPORTING OPPOSITE SEX AND JUVENILES

A. The following procedure will be applied when an officer must transport a member of the opposite sex or a juvenile:

1. Upon beginning transportation, the officer will advise the communications officer of their starting location, vehicle mileage and destination.

2. Upon arrival at the destination the officer will advise the communications officer of their location and vehicle mileage.

3. No juvenile shall be transported with adults suspected of or charged with criminal acts. No juveniles under the age of 15 will be transported in a marked police cruiser without the permission of the on-duty supervisor.

33.3.2 SICK, INJURED, DISABLED PRISONERS

A. Physically and mentally handicapped prisoners may require special care and discretion during transport. Officers shall attempt to complete the transport in a manner that is convenient, comfortable and safe for both the prisoner and the officer. Common sense should be exercised when deciding whether restraints should be utilized. An ambulance will be summoned to transport prisoners who are seriously injured or ill, or in casts, neck braces, etc., and requires special assistance.

1. Sick and Injured Prisoners - The use of restraints shall not be used on a prisoner if restraints would further compound an illness or injury. In such cases, the officer shall notify their supervisor and request assistance. Any prisoner that is injured or becomes sick prior to, during or after the arrest will

be offered medical treatment immediately. Officers shall notify their supervisors immediately when medical treatment is necessary. Medical attention shall be sought before transporting the prisoner to the detention facility. Common sense shall be exercised when considering the use of restraining devices on a sick or injured prisoner.

2. Mentally Disturbed Prisoners - Restraining devices will be used if necessary to prevent injury to either the individual or officer. The decision to use restraining devices will be based on the totality of circumstances and the potential for violence exhibited by the individual. Mentally disturbed persons taken into custody shall be transported in a police vehicle with a safety barrier. Violent persons may require special restraints and transportation by ambulance to the detention facility or mental health unit. If ambulance transportation is used, a police officer will accompany the ambulance crew. Persons taken into custody will remain the responsibility of the officer until properly relieved by receiving personnel at the detention facility. Officers will use whatever restraints are necessary to protect all persons. Documentation of restraints used on mentally disturbed persons will be listed on the incident report.

3. Handicapped Prisoners - When handicapped prisoners are transported, the use of restraints will be a matter of officer discretion. It should not be assumed that restraining devices are not needed. If the situation indicates that failure to use restraining devices may lead to the escape of the prisoner or jeopardize the safety of anyone, then restraints should be used. The circumstances surrounding the arrest and the ability to conduct a thorough search prior to transport are among the factors to consider in the use of restraints.

33.3.3 MEDICAL CARE

A. Prisoners in need of emergency medical attention shall be delivered to the appropriate emergency facility by ambulance. Non-emergency transport may be via police vehicle or ambulance. Caution shall be taken to ensure the prisoner is isolated from other patients and is never left unattended or permitted to escape the immediate control of the officer. If the prisoner must be admitted, officers shall notify their supervisor immediately. Officers will remove restraints only when it is deemed necessary and they are requested to do so by the medical staff. The supervisor shall arrange a schedule for 24-hour control of the prisoner. The arresting officer shall be responsible for the security of the prisoner until properly relieved by another officer. If possible and

appropriate, the Commonwealth's Attorney or a magistrate will be contacted to explore alternatives in regards to the possible release of the prisoner from custody.

33.3.4 CUSTODY OF PRISONERS ASSISTING IN INVESTIGATION

A. During certain investigations, to assist with a case, it may become necessary to assume custody of a prisoner confined at the Southside Regional Jail. It is the policy of the EPD to assume such custody in a manner that upholds the safety of all persons. Custody of prisoners is to be assumed only when the prisoner's involvement in an investigation may provide significant information. The rights of the prisoner shall be respected at all times.

B. Procedures

1. Permission from the Chief of Police or a designee shall be obtained prior to assuming control of the prisoner.

2. Approval will be based on the following factors:

a. The reason for utilizing the prisoner;

b. The role the prisoner will play, such as locating sites of burglaries, stolen property, or identifying pertinent suspect information;

c. The jurisdiction in which the operation will take place;

d. Safety factors including the type of location to be visited, the time of day, or the degree of escape risk.

3. More than one officer shall be with the prisoner in all cases.

4. The use of handcuffs and other restraints will be used.

4. The Communications Center shall be kept apprised of the overall situation.

33.4 TRANSPORT EQUIPMENT

33.4.1 SAFETY BARRIER

A. Marked vehicles used primarily for prisoner transportation will be equipped with a safety barrier separating the driver and rear compartments. The safety barrier must permit conversation between the driver and persons in the rear compartment.

33.4.2 VEHICLE MODIFICATION

A. Vehicles with safety barriers will have the rear doors and windows rendered inoperable from the rear seat.

34.1 LEGAL PROCESS

34.1.1 WARRANT CONTROL

A. On receipt of a legal document for service within the City, the communications officer will enter the legal document in the RMS warrant module. Once the legal document is served, the communications officer will update the disposition as served and the officer serving the warrant will enter the arrest in the arrest module of RMS.

B. Once an Officer obtains an arrest warrant for a suspect from the Magistrate that information from the arrest warrant will be electronically submitted and stored in VCIN through the E-Magistrates System. The Communications Center must then acknowledge the entry of the suspect and once this is accomplished the suspect is then entered into NCIC. The officer shall also submit either an incident report or supplemental report; whichever is appropriate, at the time of submitting the warrant to their supervisor. The officer's report shall include any specific instructions regarding the service of the warrant.

C. The communications officer shall enter the following information in the computerized warrant file for each document received:

1. Date and Time Received
2. Case Number
3. Type of Legal Process
4. Nature of Document
5. Source of Document
6. Status of Warrant
7. Name of Defendant
8. Name of Officer/Complainant
9. Charge
10. Court having Jurisdiction
11. Location of the Warrant
12. Date Issued and Agency Issuing

13. Officer Assigned for Service

14. Date of Assignment

15. Court Docket Number

16. Date of Service Due (Court Date)

D. Information shall only be entered if it is detailed on the warrant or the officer's incident report or supplemental report.

34.1.2 PRIORITIZED WARRANT SERVICE/WARRANT SERVICE RECORDS/ WARRANT SERVICE IN FOREIGN JURISDICTIONS

A. The EPD will serve all outstanding arrest warrants without delay and in accordance with 34.2.1, Service *of the Criminal Process; Officers* shall prioritize warrant services as follows:

1. Felony Warrants - Because of the serious nature of felony offenses, all felony warrants should be served as expeditiously as possible.

2. Capias and Fail to Appear Warrants - Consideration shall be given to the quick service of these warrants due to a greater likelihood that those who willfully fail to appear frequently do not remain in the area.

3. Misdemeanor Warrants - In the absence of felony, capias or F.T.A. warrants, misdemeanor warrants should be served beginning with the most serious misdemeanors.

4. Traffic Warrants - Due to these warrants being of a less serious nature, they may be served as time permits. Quick action on the part of all officers in serving outstanding warrants will significantly increase the likelihood of apprehension.

B. No warrants will be taken out of the Communications Center. It is imperative that Officers verify through Communications that the warrant is still active before executing the warrant. Officers should either document through Communications or the mobile data terminal that they attempted to serve the warrant. The documentation shall record the following:

1. Address where service was attempted;

2. Date and Time;

3. Person contacted if any;

4. Name of officer;

5. Results of any other actions taken.

C. Service of all warrants shall be documented by either an incident report or supplemental report, whichever is appropriate. If the warrant service was served by and Emporia Police Officer in our jurisdiction, or if the warrant was served by another jurisdiction for an offense that occurred in the City of Emporia, then an officer will complete the supplemental report and close the case out cleared by arrest. If an Emporia Police Officer serves an arrest warrant for another jurisdiction, then an Information Only report will be completed. It will be the responsibility of the officer to ensure that the subject is removed from the computer system, and documented in the narrative of the report. All documentation shall be submitted prior to the end of the shift. The applicable report shall include the following:

1. Date and Time served.

2. Name of arresting officer.

3. Name of person arrested.

4. Method of Service.

5. Location of Service.

6. Explanation of non-service by following the guidelines in paragraph B; above. In instances where an officer other than the officer who obtained the warrant has served the warrant, the arresting officer shall make copies of all the documents for the officer who obtained the warrant. The officer who obtained the warrant will place all documentation in the investigative case file.

D. A warrant that must be sent to another agency for service will be handled by Records.

34.1.3 WARRANT/WANTED PERSON PROCEDURES

A. The Emporia Police Department utilizes the Virginia Crime Information Network (VCIN) and the National Crime Information Center (NCIC) for all warrants. The Emporia Police Department has established procedures for maintaining a warrant and wanted person files.

1. Establishing Criteria for Entering Notices in State and Federal Information Systems.

a. The Emporia Police Department uses the Virginia State Police Virginia Crime Information Network and the National Crime Information Center (NCIC, which have computerized wanted person files. Entries into these systems must comply with the

rules and regulations set forth by VCIN and NCIC. The wanted person files contain personal descriptors and identifiers for persons who are being sought by law enforcement. All warrants that have been entered in VCIN and NCIC are maintained in a separate file in the Communications Center.

2. Establishing Criteria Needed for Receiving Information from other Jurisdictions.

   a. The criteria needed for receiving information from other jurisdictions will be the same as the criteria for entering \ warrants into NCIC/VCIN.

3. Recording the Information in Agency Files.

   a. All warrants coming into the possession of the Emporia Police Department will be entered into the Records Management System as well as in the NCIC/VCIN computer databases.

4. Distribution of Information to Agency Personnel.

   a. Once a warrant is received into agency records the Communications Center will advise notify the on-duty supervisor, as well as advising personnel of the active warrant on file. The on-duty supervisor is responsible for assigning the active warrant to an officer for service.

   b. Agency personnel receive an active warrant list from the Communications Center that shows the suspect, the charge, their address and photograph, if available.

5. Verifying Information

   a. Once a Communications Officer complete entering all of the warrant/capias information into NCIC/VCIN, a second and third party check will be conducted by the Communication Officers or the Administrative Services Manager.

6. Canceling Information

   a. If a warrant is discovered to have errors, the investigating officer is responsible for ensuring that a cancellation of the wanted person has been completed. A copy of the computer printout and a description of the information that led to the cancellation shall be included in the supplemental report.

7. Requiring 24-Hour Access to the Warrant

   a. All warrants are maintained in the Communications Center and are available 24 hours a day.

8. All NCIC/VCIN entries may be completed prior to the officer/detective completing the incident report. Entry will be made if the officer/detective has the required basic information. The NCIC/VCIN entry can be modified if additional information needs to be added once the incident report is received. The NCIC/VCIN entry may be flagged that an incident report is needed for the file. The Communications Officer should not file the entry until the report is received

34.2 CRIMINAL PROCESS

34.2.1 SERVICE OF THE CRIMINAL PROCESS

A. Warrant Service - Active warrants (felony and misdemeanor), bench warrants and detention orders will be maintained in the Communications Center.

1. Section supervisors shall assign warrants for service on a daily basis to prevent any undue delay in the execution of the legal process.

2. Misdemeanor warrants shall be served during daylight hours or before 2200 hours, unless the defendant is evading arrest or delay of service may jeopardize public safety.

3. Officers serving a warrant shall not search a third party residence for a defendant unless there is probable cause to believe the defendant is present on the premises. Additionally, one of the following conditions must exist:

   a. An officer is in hot pursuit.

   b. Consent to search has been given by the owner or person occupying the premises.

   c. There exists a justifiable fear of injury to people if the arrest is delayed.

   d. Exigent circumstances exist that would necessitate an immediate arrest.

4. If one of the aforementioned situations does not exist, a search warrant for the premises shall be obtained.

5. Probable cause to believe the person named on the warrant is present on his own premises is sufficient reason to search that person's premises.

6. It is the responsibility of the officer attempting to serve a warrant to ensure that the warrant is valid and properly executed as set forth under the provisions of the Code of Virginia, 19.2-72.

7. Upon service of a warrant, the arresting officer shall:

   a. Check VCIN and NCIC to determine the existence of outstanding warrants.

   b. Direct the Communications officer as soon as possible to remove the served warrant from NCIC/VCIN and the Department's warrant file.

   c. Document the service on an incident report or supplemental report, whichever is appropriate.

8. Certain Facilities - The judicious exercise of discretion is important in all matters of law enforcement; especially in arrests where the clientele or location involved is of a particularly sensitive nature. It is, therefore, the policy of the Department to exercise an ever-greater degree of restraint than is ordinarily applied when seeking the arrest of persons within certain facilities within the City. Such facilities include but are not limited to:

   a. Schools.

   b. City offices.

   c. Public buildings and community centers.

   d. Churches

   e. Medical treatment, counseling and rehabilitation facilities.

   f. Other facilities designed to promote the welfare of City residents.

9. In instances where the clientele or location of a warrant service, suspect or witness interview, or other police-initiated contact is determined to be sensitive in nature; officers will make every attempt at meeting the subject at an appropriate location. If this approach is unsuccessful, and it is apparent that it may be necessary to make the contact or the arrest at the facility, telephone contact shall be made with the administrative staff at the facility to make special arrangements. In cases where information suggests that the subject is dangerous or likely to flee, the officer concerned shall consult with the officer's supervisor who will assess the situation and determine a course of action, which presents the least potential risk to the public and the police. This policy does not restrict an officer from entering any such facility when in close pursuit of a person who has committed a crime, and the officer has reason to believe that any delay in the arrest of the suspect will tend to jeopardize the safety of the public.

a. The service of warrants is prohibited inside any courtroom while court is in session.

B. Warrant Service of Emporia Warrants in Other Virginia Jurisdictions

1. When a subject is detained in a jurisdiction outside of the City of Emporia on a City of Emporia warrant, the arresting jurisdiction should serve the arrest warrant and advise the Emporia Police Department that the warrant was served.

2. In cases where the detaining jurisdiction has already served the warrant, transportation responsibilities will rest with the Emporia Police Department or the City Sheriff if they are available.

3. Officers who physically transport a warrant to another Virginia jurisdiction for service shall coordinate the service with the law enforcement agency of that jurisdiction. Such service shall be conducted in accordance with the Code of Virginia and the provisions of 19.2-76.

C. Time Requirements for Execution of Warrants

1. The Administrative Service Manager shall follow up all legal documents sent to other jurisdictions. If no response has been received in 20 days, the Administrative Services Manager will contact the jurisdiction to determine the status of the document.

2. The Administrative Services Manager shall follow up all legal documents placed in the warrant file for service. After 20 days, the Administrative Services Manager shall review the document to determine whether service can be accomplished. If service cannot be made, the document shall be sent back to the originating agency with an explanation.

D. Misdemeanor Arrests/Summons Release

1. Class 1 and 2 misdemeanors are criteria for affecting a physical arrest. One of the following two conditions must exist before an arresting officer may bring an arrested person before a magistrate:

a. The arresting officer believes that the person is likely to disregard the summons. This belief should be based on one or more of the following facts:

(1) The person has no community ties, such as transient, unemployed, etc. NOTE: Military non-residents who have a local address and/or are stationed in the Commonwealth on military orders are not to be considered transients.

(2) Inability to furnish proper identification.

(3) The person attempts to escape or resists arrest.

(4) The person cannot understand the conditions of the summons requiring their future appearance in court.

(5) The person makes a statement, which indicates intent to disregard the summons, or refuses to sign the summons.

(6) The arresting officer has knowledge of the person's prior history of failing to appear in court.

(7) A warrant check discloses the existence of an outstanding warrant on file for the arrestee.

b. The arresting officer believes that the person is likely to harm his/her self or another person if released on a summons. This belief should be based on one or more of the following facts:

(1) The person is apparently under the influence of a drug, including alcohol.

(2) The person exhibits violent or irrational behavior before, during, or after the arrest.

(3) The person's statement and/or behavior indicate a likelihood that they will continue the offense or commit another offense if released immediately on a summons. Taking the person before a magistrate will allow a "cooling off" period for all parties involved.

2. **Class 3 and 4 misdemeanors are misdemeanors for which there is no jail sentence, criteria for affecting a physical arrest**. An individual may be arrested and taken before a magistrate for these offenses only if one or more of the following conditions exist:

a. Refuse to furnish name and address.

b. Refusal to sign the summons.

c. Individual is in violation of Code of Virginia, 18.2-407, *At the Scene of a Riot after Being Told to Disperse*;

d. The individual is in violation of Code of Virginia, 18.2-388, *Profane Swearing and Drunkenness in Public*.

e. Refusal to discontinue the unlawful act.

3. Issuance of summons in lieu of a warrant will be in accordance with the provisions of the Code of Virginia, 19.2-74.

E. Foreign Diplomats, Consular Officials, and Foreign Nationals - It shall be the policy of this Department to comply with the instructions of the United States Department of State relating to the arrest and detention of, deaths of, or related issues pertaining to the provision of consular services to foreign diplomats, agents, or nationals with whom contact is made.

1. Diplomatic Immunity - Diplomatic missions are afforded various degrees of privilege and immunity depending upon the functions they perform. Members involved in contacts with persons afforded these immunities must balance the fact that these persons are official representatives of a foreign government, and should be treated as respectfully as possible balanced against the need and duty to preserve public order. The levels of privilege and immunity are outlined as follows:

   a. Diplomatic Agents. Diplomatic agents and their family members who comprise their household enjoy the highest degree of privilege. They enjoy complete personal inviolability and may not be handcuffed (except in extreme cases), arrested, or detained. Their property, including vehicles and residences, may not have been waived by their host country.

   b. Administrative and Technical Staff of a Diplomatic Mission. Members of the administrative and technical staff and their respective family members enjoy the same privileges and immunity from criminal jurisdiction, as do Diplomatic Agents.

   c. Service Staff. Members of the service staff of a diplomatic mission enjoy much more limited privileges and immunity. Service staffs are afforded official acts immunity only. Family members of service staff enjoy no such privileges.

   d. Nationals of Permanent U.S. Residents. Generally, persons affiliated with or related to those categories described in (1,2, and 3), which are U.S. citizens (U.S. Nationals) or permanent residents of the United States, do not enjoy such privileges as described in a-c above.

F. Members having contact with persons, who assert or may enjoy immunity, should quickly and accurately determine their status and category. Although various documents are frequently carried or exhibited by such persons, *the only authoritative document is the identification card issued by the Department of State or by the U.S. Mission to the United Nations*. It is also possible that newly assigned members of diplomatic and consular staffs may not yet have their identification issued. Other forms of identification should be viewed as being indicative of immunity but not as being conclusive.

1. In all cases of unfavorable contact, members should verify the immunity status with the U.S. Department of State. Representatives are available on a twenty-four (24) hour basis for emergency situations at (202) 647-7277.

2. For routine inquiries, members should direct their inquiries to the appropriate section of the Department of State or the U.S. Mission to the United Nations. Current listings of these telephone numbers can be found in the Department of State's guidebook for law enforcement officers.

G. In cases where persons who may enjoy immunity are involved in criminal misconduct, officers shall:

1. Verify the status of the person. Persons asserting immunity may be detained pending confirmation of his or her identity and status.

a. Treat the individual with the maximum degree of respect possible under the circumstances.

b. Obtain all pertinent information regarding the case.

c. Promptly release the person if immunity has been verified.

d. As soon as possible, send a facsimile (FAX) of the incident report to the Department of State or the U.S. Mission to the United Nations, whichever is appropriate.

H. In cases where persons who may enjoy immunity are involved in traffic matters, members shall:

1. Verify the status of the person. Persons asserting immunity may be detained pending confirmation of his or her identity.

I. Cases of Suspected of D.U.I. – For such cases, the officer shall:

1. Conduct the investigation (sobriety tests, etc.) in accordance with the provisions of General Order 29.1.3(C), *Special Processing Requirements*. The person may not be physically arrested, compelled to take sobriety tests, or required to submit to formal chemical testing.

2. If the person is determined to be too impaired to safely drive, there are a couple options:

a. With the person's permission transport him or her to the Department or other safe location and allow them to summon another person to pick them up.

b. Summon another person or taxi to transport the person.

3. Issue a traffic summons, if warranted. The person may not, however, be compelled to sign the summons. If the person does refuse to sign it, simply present them with their copy (this fulfills the provisions of 19.2-74 to "issue

a summons or otherwise notify him in writing to appear…." and print "Diplomat-Refused" in the signature block.

4. As soon as possible, send a facsimile (FAX) of the summons to the Department of State.

5. Depending upon the degree of inviolability, the person's vehicle or person may *not* be searched or seized. In such cases, the vehicle may be towed the distance necessary to remove them from obstructing traffic or endangering public safety.

6. Depending upon the gravity of the offense committed, the member should consult with the Commonwealth's Attorney's Office to determine whether they wish to seek a waiver of immunity through the Department of State in order to prosecute. It is equally as important to conduct a thorough investigation, to the degree possible, even if the possibility exists that immunity might not be waived in the future. A solid investigation may well be the determining factor in a future decision to waive immunity.

7. More specific guidance can be referenced in the U.S. Department of State's guidebook entitled "Diplomatic and Consular Immunity." A copy of this guidebook will be made available to section supervisors.

8. In all cases involving the death of a foreign national, regardless of the level of immunity or privilege enjoyed, the Department of State shall be notified. They will provide guidance to ensure the individual's consular officials are notified.

J. Foreign National Notifications - Foreign nationals are *other persons not entitled to any levels of immunity as set forth in the previous section*.

K. Whenever any foreign national is arrested or detained, dies or is in need of services by virtue of their being a minor or incompetent, the Department of State shall be notified. The Department of State will determine if the country of the foreign national involved requires the notification of their consular officials. In all cases, the member shall:

1. Advise the national of their right to have their consular official notified.

2. Permit reasonable access to the national, if detained, by the consular officials.

3. Provide a trustee or guardian for those in need of their assistance.

4. In some cases, as the result of mandatory notification agreements, the national's consulate must be notified of an arrest *regardless* of the national's wishes. The requires such mandatory notification.

5. The following statement should be utilized to notify a foreign national of their right to consular services:

   Because of your nationality, we are required to notify your country's consular representatives here in the United State that you have been arrested or detained. After your consular officials are notified, they may call or visit you. You are not required to accept their assistance, but they may be able to permit you to secure legal counsel and may contact your family and visit you in detention. We will be notifying your country's consular officials as soon as possible.

6. Any such admonishments made by the individual or notifications made to the Department of State or consular officials shall be noted in the incident report.

7. For additional and more specific guidance, members should refer to the Department of State's *Diplomatic and Consular Immunity* guidebook or contact the Department of State at (202) 647-7277.

L. Arrests of Military Personnel - When a person on *active duty* status with the armed forces is arrested, the appropriate liaison officer shall be notified regardless of hour of the day. The current operational numbers will be maintained in the Communications Center for the following offices:

   1. U.S. Army Provost Marshal

   2. U.S. Air Force Security Police

   3. U.S. Marine Provost Marshal

   4. U.S. Navy/Coast Guard Master At Arms

M. Arrest of School Employees -In compliance with the Code of Virginia, 19.2-83.1, the Chief of Police or his/her designee shall file a report with the superintendent of schools upon the arrest of a teacher or employee in any public schools division of the Commonwealth for any Felony or Class 1 misdemeanor offense.

   1. Officers that affect an arrest of a school employee on any felony or class I misdemeanor charges shall notify their immediate supervisor. After review, the supervisor shall send correspondence, to include a copy of the report, to the Chief of Police.

   2. The Chief of Police, or his/her designee, shall make notification to the superintendent of schools responsible for the employment of the school employee that was arrested.

N. Arrest of a City Employee - Officers that affect an arrest of any City employee shall notify their immediate supervisor. The supervisor shall send

correspondence, to include a copy of the report, to the Chief of Police. The Chief of Police will make necessary notifications.

O. Summoning Aid - Officers may become involved in an extraordinary situation where immediate assistance is required. The Code of Virginia, 18.2-463, states that officers may require a citizen to assist them in the following circumstances:

1. In the execution of their office in a criminal case.

2. In the preservation of the peace.

3. In the arrest of a person for a breach of the peace.

4. In any case of escape or rescue.

P. Search Warrant Procedures

1. The purpose of these procedures is intended to result in a fruitful search, which withstands the rigors of court, as well as upholding the rights of citizens. Officers assigned the responsibility of an investigation involving a search warrant will be responsible for the proper and legal execution of the search warrant.

2. In the course of a detective or officers investigation it is determined that a search warrant is necessary to locate evidence related to the criminal investigation; officers and detectives will ensure that they are in compliance with Virginia State Code-19-56

3. Conduct Prior to the Execution of the Search Warrant

a. Every search warrant shall be directed:

(1) To any policeman of the city in which the place to be search is located;

(2) Jointly with any sheriff, police officer, state of federal law enforcement officers stated in state code.

b. The search warrant shall:

(1) Name the affiant;

(2) Recite the offense or the identity of the person to be arrested for whom a warrant or process for arrest has been issued in relation to which the search is to be made;

(3) Name or describe the place to be searched;

(4) Describe the property or person to be searched for;

(5) Recite that the magistrate has found probable cause to believe that the property or person constitutes evidence of a crime (identified in a warrant) or tends to show that a person (named and described) has committed or is committing a crime or that the person to be arrested for whom a warrant or process for arrest has been issued is located at the place to be searched.

(6) Command that the place be forthwith searched and that the objects or person described in the warrant, if found there be seized.

c. All officers will assure:

(1) The accuracy of the search warrant,

(2) Comply will all legal requirements relating with the search warrant,

(3) All search warrants will be reviewed by the officer/detectives supervisor.

(4) When feasible, the officer/detective will have either the Commonwealth Attorney or any of the Assistant Commonwealth Attorney's review the affidavit to ensure its legal defensibility,

(5) Prior to the execution of a search warrant the Chief of Police will be notified!

(6) Conduct a briefing prior to the execution of the search warrant,

d. The judge, magistrate or other official authorized to issue criminal warrants shall attach a copy of the affidavit as required in Virginia State Code 19.2-54, which shall become a part of the search warrant and served therewith.

e. The issuing judge, magistrate or other official shall retain the original copy of the affidavit at the time of issuance. The judge, magistrate or other official will file the original affidavit to the Clerk of the Circuit Court.

f. The officer preparing the search warrant shall personally observe the site of the search before a warrant is obtained. All reasonable measures shall be taken to establish the ownership, occupancy, and interior and exterior descriptions of the search site.

g. Search warrants should be served within five (5) days from being obtained. Prompt execution decreases the possibility that the target of the search will be made aware of the warrant's existence and will prevent the possible loss of probable cause. Reasonable delays must be articulable.

h. Search teams shall include at least one uniformed officer in all search warrant executions.

i. The officer assigned the investigation should be alert for any change in circumstances that negates the reason for the search. If either the supervisor or officer are not certain that the premises to be entered are the same as those listed in the warrant, or that the reason for the search no longer exists, no entry shall be made.

j. The detective or officer conducting the search will complete an operational plan.

(1) The supervisor and the officer responsible for obtaining the search warrant shall conduct a briefing prior to executing the warrant. The following factors shall be presented at the briefing:

(a) Review of the site characteristics.

(b) Description of potential occupants and any associated dangers they may pose.

(c) Description of items sought at the search site and any indication of their possible locations.

(d) Assignment of responsibilities for members of the search team.

(e) Review of facts of the case.

4. Execution of the Search Warrant

a. Any such warrant as provided in Virginia State Code 19.2-56 shall be executed by a policeman or other law enforcement officers or agent into whose hands it shall come or be delivered.

b. No other person may be permitted to be present during or participate in the execution of a warrant to search a place except:

(1) The owners and occupants of the place to be searched when permitted to be present by the officer in charge of the conduct of the search;

(2) Persons designated by the officer in charge of the conduct of the search to assist or provide expertise in the conduct of the search.

c. Knock and Announce Requirement

(1) **No member of the Emporia Police Department shall participate in a NO-KNOCK search warrant.**

(2) Announcement of Authority and Purpose:

(a) An officer, predetermined during the briefing, shall notify persons inside the search site of the team's presence, and shall, in a voice loud enough to be heard inside the search site, announce that they are police officers and that they have a warrant to search the premises, and that admission to the premises is demanded at once.

(3) Delay Following Announcement

(a) Officers before resorting to force entry into premises to be searched under warrant, must attempt to gain admittance peaceably by announcing their presence, identifying themselves as police and stating their purpose.

(b) Prior to forcing entry into a dwelling, the police are required to follow the Announcement Doctrine.

i. Knock;

ii. Identify themselves as Police Officers;

iii. Indication the reason for police presence;

iv. Wait a reasonable time for the occupants to answer the door.

(c) Knock and Announce serves several of the following purposes.

i. To protect against violence raised in self-defense by a resident surprised by an unannounced entry;

ii. To give individuals the opportunity to comply with the law and to avoid the destruction of property accompanied by a forcible entry;

iii. To give residents the opportunity to prepare

themselves for the entry of the police.

(d) There is NO specific time period or bright line rule establishing the length of time that the police must wait to enter after announcing their presence.

(e) NOT waiting for admittance can be treated as a NO-Knock search warrant.

(f) Waiting is also a key factor in the reasonableness of the use of force.

(g) The reasonableness of the delay varies with each case and depends on the totality of the circumstances.

(h) The acquiescence to the command of a search warrant is not discretionary. Police officers attempting execution of a valid search warrant need not coax compliance from an unwilling or un-responding party.

(4) Entry - When possible, premises shall be entered in a non-destructive manner. No force shall be initiated unless resistance is made by a person in the premises.

(5) Forceless Entry - The *knock and announce* requirement previously discussed applies to all entries accomplished by force. Use of force includes the opening of a closed door, entry through an open door, or the use of a key to gain entry.

d. Search warrants authorized to search of any place of abode shall be executed by initial entry of the abode only in the daytime hours between 8:00 am through 5:00 pm, unless.

(1) A judge or magistrate, if a judge is not available, authorizes the execution of such search warrant at another time for good cause shown by particularized facts in the affidavit;

(2) Prior to the issuance of the search warrant, law enforcement officers lawfully entered and secured the place to be searched and remained at such place continuously.

(3) A police officer shall make reasonable efforts to locate a judge before seeking authorization to execute the warrant at another time, unless circumstances require the issuance of the warrant after 5:00 pm, in which case the police officer may seek authorization from a magistrate without first making reasonable efforts to locate a judge. Such

reasonable efforts shall be documented in an affidavit and submitted to a magistrate when seeking authorization.

e. Ensure the proper recording of pertinent facts during the execution of the search warrant,

f. Immediate Examination of Search Site - The search site shall be secured. Each room of the premises shall be immediately examined for persons that may interfere with the warrant's execution.

(1) Persons Within Premises

(a) Permissible Search of Persons - Mere presence at a search site is not a factor that gives sufficient reason to search a person within the premises.

(b) For the search to be valid, the officer must articulate facts or circumstance within the search warrant affidavit providing probable cause to support the action taken.

(c) The affidavit must identify the persons to be searched by name and the basis for such search.

(2) Arrests

(a) Probable cause to arrest a person at the search site may arise during the execution of a search warrant. In that event, a search incidental to that arrest, and independent of the warrant, may be conducted.

(3) Permissible Frisk of Persons

(a) Any person within premises at the time the search warrant is executed or any person that voluntarily enters the premises after the search has commenced may be frisked, *if* the officer reasonably suspects that such person has a concealed weapon or dangerous instrument. Mere presence at the search site is not a sufficient reason to frisk a person within the premises.

(b) In order for the frisk to be proper the officer must be able to articulate facts or circumstances that provide reasonable suspicion to support the action taken. Nothing in this chapter should be construed as limiting the initial entry team personnel from frisking those persons already present to assure their own safety and the safety of others present.

(4) Restricting Movement of Persons - Restrictions may be placed on the movement of any person at the search site. This restriction is essential to prevent interference with the search and to safeguard the search team and other persons involved. The restriction shall be limited to the time needed to assure security.

(5) Seizure of Items Inadvertently Found - If contraband items are found, but not listed in the search warrant, they may be seized when the item could logically be seen within the scope of the warrant in an area controlled by the search warrant.

(6) Post Search Action

(a) Damaged Property - If damage occurs during entry, the supervisor in charge at the scene shall evaluate the need to assure the protection of the search site until repairs can be made. If it is in the Department's best interests, the supervisor shall assign personnel to protect the property until the person in control of the property is able to assure security.

(b) Warrant Return - The responsible officer shall ensure the return of the warrant to the issuing authority as soon as practical, and within the 72-hour time limit required by law. The officer shall swear under oath to a copy of the list of items seized and such fact shall be stated in the inventory sheet prior to the return to the court. If nothing is seized a statement to that effect shall be filed with the clerk of the circuit court of the jurisdiction where the search occurred within 72 hours.

(c) Return of Property - When non-contraband items seized during the execution of a search warrant are no longer needed for prosecution, they may be returned to the owner under authority of the Commonwealth's Attorney.

g. Vacant Search Sites - When entry into a vacant site is undertaken, the search team should seek entry with a key when possible. A copy of the search warrant, with affidavit attached, shall be placed in view at the site. Entry into a vacant search site is permissible only if one or more of the following conditions exist:

(1) Occupants will not be returning to the premises for an extended period of time, if at all;

(2) Investigation will be hampered if the premises are not immediately searched, and/or

(3) Executing the warrant at another time would cause

substantial inconvenience and improperly waste personnel time.

5. Post Execution of the Search Warrant

a. Any search warrant not executed within 15 days after issuance thereof shall be returned to, and voided by, the judicial officer who issued such warrant.

b. An inventory shall be produced before a court having jurisdiction of the offense or over the person for whom a warrant or process for arrest has been issued in relation to which the warrant was issued as provided in Virginia State Code 19.2-57, as amended.

c. Any evidence obtained from a search warrant executed in violation of Virginia State Code 19.2-56 shall not be admitted into evidence for the Commonwealth in any prosecution.

6. Search Warrant for Records

a. Any search warrant for records or other information pertaining to a subscriber to, or customer of, and electronic communication service or remote computing service, whether a domestic or foreign corporation, that is transacting or has transacted any business in the Commonwealth, to be executed upon such service provider may be executed within or outside the Commonwealth by hand, United States mail, commercial delivery service, facsimile, or other electronic means upon the service provider.

b. The officer/detective executing the search warrant shall endorse the date of execution and shall file the search warrant with the inventory attached, or a notation that no property was seized and the accompanying affidavit, unless such affidavit was made by voice or videotape recording, within three days after the materials ordered to be produced are received by the officer from the service provider.

c. The return shall be made in the circuit court clerk's office for the jurisdiction wherein the warrant was:

(1) executed, if executed with the Commonwealth and a copy of the return shall also be delivered to the clerk of the circuit court of the county or city where the warrant was issued, or

(2) if executed outside the Commonwealth. Saturdays, Sundays, or any federal or state legal holidays shall not be used in computing the three-day filing period.

7. Search Warrants for Financial Records:

a. Any search warrant for records or other information pertaining to a customer of a financial institution, money transmitter, commercial business providing credit history or credit reports or issuer may be executed with the Commonwealth by hand, United States mail, commercial delivery service, facsimile, or other electronic means upon the financial institution, money transmitter, commercial business providing credit history or credit reports, or issuer.

b. The officer/detective executing the search warrant shall endorse the date of execution thereon and shall file the warrant, with the inventory attached, or a notation that no property was seized and the accompanying affidavit, unless such affidavit was made by voice or videotape recording, within three days after the materials ordered to be produced are received by the officer from the financial institution, money transmitter, commercial business providing credit history or credit reports, or issuer.

c. The return shall be made in the circuit court clerk's office for the jurisdiction wherein the warrant was executed. Saturdays, Sundays, or any federal or state legal holiday shall not be used in computing the three-day filing period. For this section, the search warrant will not be considered executed in the jurisdiction where the entity on which the warrant is served is located.

d. Every search warrant shall contain the date and time it was issued. However, the failure of any such search warrant to contain the date and time it was issued shall not render the warrant void, provided that the date and time of issuing of said warrant is established by competent evidence.

e. The judge, magistrate or other official authorized to issue criminal warrants shall attach a copy of the affidavit, as required by Virginia State Code 19.2-54, which shall become a part of the search warrant and served together. The above procedure shall not be applicable in any case in which the affidavit is made by means of a voice or videotape recording or where the affidavit has been sealed in accordance with Virginia State Code 19.2-54.

8. Utilization of SWAT for the Execution of Search Warrants

a. A SWAT team will never be utilized to execute a search warrant for records or financial records.

b. The Chief of Police or the Major are the only individuals authorized to call out a SWAT team from another jurisdiction.

(1) If it is determined there is a need for a SWAT team, the following guidelines will apply:

(a) The search team will position itself as circumstances

dictate. If the SWAT Team is utilized, their supervisory personnel will coordinate positioning of all team members when the tactical unit is involved in the execution of the warrant.

(b) Exits from the premises are to be covered, where possible, at the diagonal corners of buildings.

(c) If the SWAT Team is involved, no member of the search team shall enter the dwelling until they are authorized to do so by the SWAT Team supervisor.

(d) Members of the search team with responsibility for the areas of the site farthest from the entrance shall enter first, followed by members with responsibility for areas nearer the entrance.

34.2.2 AUTHORITY TO EXECUTE THE CRIMINAL PROCESS

A. Every officer, to whom any order, warrant, or process may be lawfully directed, shall execute the same within the boundaries of the political subdivision in which he serves and may execute the same in any contiguous county or city in accordance with the provisions of Code of Virginia, 19.2-76. This legislation enables an EPD officer to execute criminal warrants at locations within the county that are contiguous to the City of Emporia.

B. Jurisdiction - Within the corporate boundaries of the City of Emporia, police officers empowered to enforce the Code of Virginia and the ordinances set forth in the *Emporia Code of Ordinances*. This authority extends to all property within the City including that owned and operated by any other county, city or City. See Code of Virginia, 15.2-1725.

1. EPD officers are empowered to enforce the criminal laws of the Commonwealth of Virginia to one (1) mile beyond the corporate limits of the City of Emporia. Offenses occurring within this 1-mile zone must be prosecuted under state law. Such enforcement should be limited to these situations where there is an immediate need to act. Traffic infractions are not covered under these guidelines. See Code of Virginia, 19.2-250.

2. When a person in the custody of an officer affecting an arrest escapes or flees, the officer with or without a warrant may pursue the person anywhere within the Commonwealth of Virginia. When actually in close pursuit, the officer may arrest the person where they are found. Additionally, if the person is arrested in an adjoining county or city, the arresting officer may return the person before a magistrate of the county, city or City from which the person fled. Otherwise, the person

must be taken to a magistrate located in the jurisdiction where the arrest is accomplished. See Code of Virginia, 19.2-77.

34.3 PROPERTY

A. All property obtained by the Department through the execution of the legal process will be documented pursuant to General Order 38.1.1, *Property Control,* and the property officer is responsible for maintenance of the property record keeping system as outlined in General Order 38.1.1(J,9), *Property Officer Responsibilities*.

B. All property acquired by the Department through the execution of the legal process is disposed of pursuant to the Code of Virginia, 15.1-133.01. The procedures to be followed in the disposition of property acquired through the legal process are provided in General Order 38.1.1 *Property Control* and 38.1.1 (J,9), *Property Officer Responsibilities.*

34.1 LEGAL PROCESS

34.1.1 WARRANT CONTROL

A. On receipt of a legal document for service within the City, the communications officer will enter the legal document in the RMS warrant module. Once the legal document is served, the communications officer will update the disposition as served and the officer serving the warrant will enter the arrest in the arrest module of RMS.

B. Once an Officer obtains an arrest warrant for a suspect from the Magistrate that information from the arrest warrant will be electronically submitted and stored in VCIN through the E-Magistrates System. The Communications Center must then acknowledge the entry of the suspect and once this is accomplished the suspect is then entered into NCIC. The officer shall also submit either an incident report or supplemental report; whichever is appropriate, at the time of submitting the warrant to their supervisor. The officer's report shall include any specific instructions regarding the service of the warrant.

C. The communications officer shall enter the following information in the computerized warrant file for each document received:

1. Date and Time Received
2. Case Number
3. Type of Legal Process
4. Nature of Document
5. Source of Document
6. Status of Warrant
7. Name of Defendant
8. Name of Officer/Complainant
9. Charge
10. Court having Jurisdiction
11. Location of the Warrant
12. Date Issued and Agency Issuing

13. Officer Assigned for Service

14. Date of Assignment

15. Court Docket Number

16. Date of Service Due (Court Date)

D. Information shall only be entered if it is detailed on the warrant or the officer's incident report or supplemental report.

34.1.2 PRIORITIZED WARRANT SERVICE/WARRANT SERVICE RECORDS/ WARRANT SERVICE IN FOREIGN JURISDICTIONS

A. The EPD will serve all outstanding arrest warrants without delay and in accordance with 34.2.1, Service *of the Criminal Process; Officers* shall prioritize warrant services as follows:

1. Felony Warrants - Because of the serious nature of felony offenses, all felony warrants should be served as expeditiously as possible.

2. Capias and Fail to Appear Warrants - Consideration shall be given to the quick service of these warrants due to a greater likelihood that those who willfully fail to appear frequently do not remain in the area.

3. Misdemeanor Warrants - In the absence of felony, capias or F.T.A. warrants, misdemeanor warrants should be served beginning with the most serious misdemeanors.

4. Traffic Warrants - Due to these warrants being of a less serious nature, they may be served as time permits. Quick action on the part of all officers in serving outstanding warrants will significantly increase the likelihood of apprehension.

B. No warrants will be taken out of the Communications Center. It is imperative that Officers verify through Communications that the warrant is still active before executing the warrant. Officers should either document through Communications or the mobile data terminal that they attempted to serve the warrant. The documentation shall record the following:

1. Address where service was attempted;

2. Date and Time;

3. Person contacted if any;

4. Name of officer;

5. Results of any other actions taken.

C. Service of all warrants shall be documented by either an incident report or supplemental report, whichever is appropriate. If the warrant service was served by and Emporia Police Officer in our jurisdiction, or if the warrant was served by another jurisdiction for an offense that occurred in the City of Emporia, then an officer will complete the supplemental report and close the case out cleared by arrest. If an Emporia Police Officer serves an arrest warrant for another jurisdiction, then an Information Only report will be completed. It will be the responsibility of the officer to ensure that the subject is removed from the computer system, and documented in the narrative of the report. All documentation shall be submitted prior to the end of the shift. The applicable report shall include the following:

1. Date and Time served.

2. Name of arresting officer.

3. Name of person arrested.

4. Method of Service.

5. Location of Service.

6. Explanation of non-service by following the guidelines in paragraph B; above. In instances where an officer other than the officer who obtained the warrant has served the warrant, the arresting officer shall make copies of all the documents for the officer who obtained the warrant. The officer who obtained the warrant will place all documentation in the investigative case file.

D. A warrant that must be sent to another agency for service will be handled by Records.

34.1.3 WARRANT/WANTED PERSON PROCEDURES

A. The Emporia Police Department utilizes the Virginia Crime Information Network (VCIN) and the National Crime Information Center (NCIC) for all warrants. The Emporia Police Department has established procedures for maintaining a warrant and wanted person files.

1. Establishing Criteria for Entering Notices in State and Federal Information Systems.

a. The Emporia Police Department uses the Virginia State Police Virginia Crime Information Network and the National Crime Information Center (NCIC, which have computerized wanted person files. Entries into these systems must comply with the

rules and regulations set forth by VCIN and NCIC. The wanted person files contain personal descriptors and identifiers for persons who are being sought by law enforcement. All warrants that have been entered in VCIN and NCIC are maintained in a separate file in the Communications Center.

2. Establishing Criteria Needed for Receiving Information from other Jurisdictions.

   a. The criteria needed for receiving information from other jurisdictions will be the same as the criteria for entering \ warrants into NCIC/VCIN.

3. Recording the Information in Agency Files.

   a. All warrants coming into the possession of the Emporia Police Department will be entered into the Records Management System as well as in the NCIC/VCIN computer databases.

4. Distribution of Information to Agency Personnel.

   a. Once a warrant is received into agency records the Communications Center will advise notify the on-duty supervisor, as well as advising personnel of the active warrant on file. The on-duty supervisor is responsible for assigning the active warrant to an officer for service.

   b. Agency personnel receive an active warrant list from the Communications Center that shows the suspect, the charge, their address and photograph, if available.

5. Verifying Information

   a. Once a Communications Officer complete entering all of the warrant/capias information into NCIC/VCIN, a second and third party check will be conducted by the Communication Officers or the Records Technician.

6. Canceling Information

   a. If a warrant is discovered to have errors, the investigating officer is responsible for ensuring that a cancellation of the wanted person has been completed. A copy of the computer printout and a description of the information that led to the cancellation shall be included in the supplemental report.

7. Requiring 24-Hour Access to the Warrant

   a. All warrants are maintained in the Communications Center and are available 24 hours a day.

8. All NCIC/VCIN entries may be completed prior to the officer/detective completing the incident report. Entry will be made if the officer/detective has the required basic information. The NCIC/VCIN entry can be modified if additional information needs to be added once the incident report is received. The NCIC/VCIN entry may be flagged that an incident report is needed for the file. The Communications Officer should not file the entry until the report is received

34.2 CRIMINAL PROCESS

34.2.1 SERVICE OF THE CRIMINAL PROCESS

A. Warrant Service - Active warrants (felony and misdemeanor), bench warrants and detention orders will be maintained in the Communications Center.

1. Section supervisors shall assign warrants for service on a daily basis to prevent any undue delay in the execution of the legal process.

2. Misdemeanor warrants shall be served during daylight hours or before 2200 hours, unless the defendant is evading arrest or delay of service may jeopardize public safety.

3. Officers serving a warrant shall not search a third party residence for a defendant unless there is probable cause to believe the defendant is present on the premises. Additionally, one of the following conditions must exist:

   a. An officer is in hot pursuit.

   b. Consent to search has been given by the owner or person occupying the premises.

   c. There exists a justifiable fear of injury to people if the arrest is delayed.

   d. Exigent circumstances exist that would necessitate an immediate arrest.

4. If one of the aforementioned situations does not exist, a search warrant for the premises shall be obtained.

5. Probable cause to believe the person named on the warrant is present on his own premises is sufficient reason to search that person's premises.

6. It is the responsibility of the officer attempting to serve a warrant to ensure that the warrant is valid and properly executed as set forth under the provisions of the Code of Virginia, 19.2-72.

7. Upon service of a warrant, the arresting officer shall:

   a. Check VCIN and NCIC to determine the existence of outstanding warrants.

   b. Direct the Communications officer as soon as possible to remove the served warrant from NCIC/VCIN and the Department's warrant file.

   c. Document the service on an incident report or supplemental report, whichever is appropriate.

8. Certain Facilities - The judicious exercise of discretion is important in all matters of law enforcement; especially in arrests where the clientele or location involved is of a particularly sensitive nature. It is, therefore, the policy of the Department to exercise an ever-greater degree of restraint than is ordinarily applied when seeking the arrest of persons within certain facilities within the City. Such facilities include but are not limited to:

   a. Schools.

   b. City offices.

   c. Public buildings and community centers.

   d. Churches

   e. Medical treatment, counseling and rehabilitation facilities.

   f. Other facilities designed to promote the welfare of City residents.

9. In instances where the clientele or location of a warrant service, suspect or witness interview, or other police-initiated contact is determined to be sensitive in nature; officers will make every attempt at meeting the subject at an appropriate location. If this approach is unsuccessful, and it is apparent that it may be necessary to make the contact or the arrest at the facility, telephone contact shall be made with the administrative staff at the facility to make special arrangements. In cases where information suggests that the subject is dangerous or likely to flee, the officer concerned shall consult with the officer's supervisor who will assess the situation and determine a course of action, which presents the least potential risk to the public and the police. This policy does not restrict an officer from entering any such facility when in close pursuit of a person who has committed a crime, and the officer has reason to believe that any delay in the arrest of the suspect will tend to jeopardize the safety of the public.

a. The service of warrants is prohibited inside any courtroom while court is in session.

B. Warrant Service of Emporia Warrants in Other Virginia Jurisdictions

1. When a subject is detained in a jurisdiction outside of the City of Emporia on a City of Emporia warrant, the arresting jurisdiction should serve the arrest warrant and advise the Emporia Police Department that the warrant was served.

2. In cases where the detaining jurisdiction has already served the warrant, transportation responsibilities will rest with the Emporia Police Department or the City Sheriff if they are available.

3. Officers who physically transport a warrant to another Virginia jurisdiction for service shall coordinate the service with the law enforcement agency of that jurisdiction. Such service shall be conducted in accordance with the Code of Virginia and the provisions of 19.2-76.

C. Time Requirements for Execution of Warrants

1. The Records Technician shall follow up all legal documents sent to other jurisdictions. If no response has been received in 20 days, the Records Technician will contact the jurisdiction to determine the status of the document.

2. The Records Technician shall follow up all legal documents placed in the warrant file for service. After 20 days, the Records Technician shall review the document to determine whether service can be accomplished. If service cannot be made, the document shall be sent back to the originating agency with an explanation.

D. Misdemeanor Arrests/Summons Release

1. Class 1 and 2 misdemeanors are criteria for affecting a physical arrest. One of the following two conditions must exist before an arresting officer may bring an arrested person before a magistrate:

a. The arresting officer believes that the person is likely to disregard the summons. This belief should be based on one or more of the following facts:

(1) The person has no community ties, such as transient, unemployed, etc. NOTE: Military non-residents who have a local address and/or are stationed in the Commonwealth on military orders are not to be considered transients.

(2) Inability to furnish proper identification.

(3) The person attempts to escape or resists arrest.

(4) The person cannot understand the conditions of the summons requiring their future appearance in court.

(5) The person makes a statement, which indicates intent to disregard the summons, or refuses to sign the summons.

(6) The arresting officer has knowledge of the person's prior history of failing to appear in court.

(7) A warrant check discloses the existence of an outstanding warrant on file for the arrestee.

b. The arresting officer believes that the person is likely to harm his/her self or another person if released on a summons. This belief should be based on one or more of the following facts:

(1) The person is apparently under the influence of a drug, including alcohol.

(2) The person exhibits violent or irrational behavior before, during, or after the arrest.

(3) The person's statement and/or behavior indicate a likelihood that they will continue the offense or commit another offense if released immediately on a summons. Taking the person before a magistrate will allow a "cooling off" period for all parties involved.

2. **Class 3 and 4 misdemeanors are misdemeanors for which there is no jail sentence, criteria for affecting a physical arrest**. An individual may be arrested and taken before a magistrate for these offenses only if one or more of the following conditions exist:

a. Refuse to furnish name and address.

b. Refusal to sign the summons.

c. Individual is in violation of Code of Virginia, 18.2-407, *At the Scene of a Riot after Being Told to Disperse*;

d. The individual is in violation of Code of Virginia, 18.2-388, *Profane Swearing and Drunkenness in Public*.

e. Refusal to discontinue the unlawful act.

3. Issuance of summons in lieu of a warrant will be in accordance with the provisions of the Code of Virginia, 19.2-74.

E. Foreign Diplomats, Consular Officials, and Foreign Nationals - It shall be the policy of this Department to comply with the instructions of the United States Department of State relating to the arrest and detention of, deaths of, or related issues pertaining to the provision of consular services to foreign diplomats, agents, or nationals with whom contact is made.

1. Diplomatic Immunity - Diplomatic missions are afforded various degrees of privilege and immunity depending upon the functions they perform. Members involved in contacts with persons afforded these immunities must balance the fact that these persons are official representatives of a foreign government, and should be treated as respectfully as possible balanced against the need and duty to preserve public order. The levels of privilege and immunity are outlined as follows:

   a. Diplomatic Agents. Diplomatic agents and their family members who comprise their household enjoy the highest degree of privilege. They enjoy complete personal inviolability and may not be handcuffed (except in extreme cases), arrested, or detained. Their property, including vehicles and residences, may not have been waived by their host country.

   b. Administrative and Technical Staff of a Diplomatic Mission. Members of the administrative and technical staff and their respective family members enjoy the same privileges and immunity from criminal jurisdiction, as do Diplomatic Agents.

   c. Service Staff. Members of the service staff of a diplomatic mission enjoy much more limited privileges and immunity. Service staffs are afforded official acts immunity only. Family members of service staff enjoy no such privileges.

   d. Nationals of Permanent U.S. Residents. Generally, persons affiliated with or related to those categories described in (1,2, and 3), which are U.S. citizens (U.S. Nationals) or permanent residents of the United States, do not enjoy such privileges as described in a-c above.

F. Members having contact with persons, who assert or may enjoy immunity, should quickly and accurately determine their status and category. Although various documents are frequently carried or exhibited by such persons, *the only authoritative document is the identification card issued by the Department of State or by the U.S. Mission to the United Nations*. It is also possible that newly assigned members of diplomatic and consular staffs may not yet have their identification issued. Other forms of identification should be viewed as being indicative of immunity but not as being conclusive.

1. In all cases of unfavorable contact, members should verify the immunity status with the U.S. Department of State. Representatives are available on a twenty-four (24) hour basis for emergency situations at (202) 647-7277.

2. For routine inquiries, members should direct their inquiries to the appropriate section of the Department of State or the U.S. Mission to the United Nations. Current listings of these telephone numbers can be found in the Department of State's guidebook for law enforcement officers.

G. In cases where persons who may enjoy immunity are involved in criminal misconduct, officers shall:

1. Verify the status of the person. Persons asserting immunity may be detained pending confirmation of his or her identity and status.

a. Treat the individual with the maximum degree of respect possible under the circumstances.

b. Obtain all pertinent information regarding the case.

c. Promptly release the person if immunity has been verified.

d. As soon as possible, send a facsimile (FAX) of the incident report to the Department of State or the U.S. Mission to the United Nations, whichever is appropriate.

H. In cases where persons who may enjoy immunity are involved in traffic matters, members shall:

1. Verify the status of the person. Persons asserting immunity may be detained pending confirmation of his or her identity.

I. Cases of Suspected of D.U.I. – For such cases, the officer shall:

1. Conduct the investigation (sobriety tests, etc.) in accordance with the provisions of General Order 29.1.3(C), *Special Processing Requirements*. The person may not be physically arrested, compelled to take sobriety tests, or required to submit to formal chemical testing.

2. If the person is determined to be too impaired to safely drive, there are a couple options:

a. With the person's permission transport him or her to the Department or other safe location and allow them to summon another person to pick them up.

b. Summon another person or taxi to transport the person.

3. Issue a traffic summons, if warranted. The person may not, however, be compelled to sign the summons. If the person does refuse to sign it, simply present them with their copy (this fulfills the provisions of 19.2-74 to "issue

a summons or otherwise notify him in writing to appear…." and print "Diplomat-Refused" in the signature block.

4. As soon as possible, send a facsimile (FAX) of the summons to the Department of State.

5. Depending upon the degree of inviolability, the person's vehicle or person may *not* be searched or seized. In such cases, the vehicle may be towed the distance necessary to remove them from obstructing traffic or endangering public safety.

6. Depending upon the gravity of the offense committed, the member should consult with the Commonwealth's Attorney's Office to determine whether they wish to seek a waiver of immunity through the Department of State in order to prosecute. It is equally as important to conduct a thorough investigation, to the degree possible, even if the possibility exists that immunity might not be waived in the future. A solid investigation may well be the determining factor in a future decision to waive immunity.

7. More specific guidance can be referenced in the U.S. Department of State's guidebook entitled "Diplomatic and Consular Immunity." A copy of this guidebook will be made available to section supervisors.

8. In all cases involving the death of a foreign national, regardless of the level of immunity or privilege enjoyed, the Department of State shall be notified. They will provide guidance to ensure the individual's consular officials are notified.

J. Foreign National Notifications - Foreign nationals are *other persons not entitled to any levels of immunity as set forth in the previous section*.

K. Whenever any foreign national is arrested or detained, dies or is in need of services by virtue of their being a minor or incompetent, the Department of State shall be notified. The Department of State will determine if the country of the foreign national involved requires the notification of their consular officials. In all cases, the member shall:

1. Advise the national of their right to have their consular official notified.

2. Permit reasonable access to the national, if detained, by the consular officials.

3. Provide a trustee or guardian for those in need of their assistance.

4. In some cases, as the result of mandatory notification agreements, the national's consulate must be notified of an arrest *regardless* of the national's wishes. The requires such mandatory notification.

5. The following statement should be utilized to notify a foreign national of their right to consular services:

   Because of your nationality, we are required to notify your country's consular representatives here in the United State that you have been arrested or detained. After your consular officials are notified, they may call or visit you. You are not required to accept their assistance, but they may be able to permit you to secure legal counsel and may contact your family and visit you in detention. We will be notifying your country's consular officials as soon as possible.

6. Any such admonishments made by the individual or notifications made to the Department of State or consular officials shall be noted in the incident report.

7. For additional and more specific guidance, members should refer to the Department of State's *Diplomatic and Consular Immunity* guidebook or contact the Department of State at (202) 647-7277.

L. Arrests of Military Personnel - When a person on *active duty* status with the armed forces is arrested, the appropriate liaison officer shall be notified regardless of hour of the day. The current operational numbers will be maintained in the Communications Center for the following offices:

   1. U.S. Army Provost Marshal

   2. U.S. Air Force Security Police

   3. U.S. Marine Provost Marshal

   4. U.S. Navy/Coast Guard Master At Arms

M. Arrest of School Employees -In compliance with the Code of Virginia, 19.2-83.1, the Chief of Police or his/her designee shall file a report with the superintendent of schools upon the arrest of a teacher or employee in any public schools division of the Commonwealth for any Felony or Class 1 misdemeanor offense.

   1. Officers that affect an arrest of a school employee on any felony or class I misdemeanor charges shall notify their immediate supervisor. After review, the supervisor shall send correspondence, to include a copy of the report, to the Chief of Police.

   2. The Chief of Police, or his/her designee, shall make notification to the superintendent of schools responsible for the employment of the school employee that was arrested.

N. Arrest of a City Employee - Officers that affect an arrest of any City employee shall notify their immediate supervisor. The supervisor shall send

correspondence, to include a copy of the report, to the Chief of Police. The Chief of Police will make necessary notifications.

O. Summoning Aid - Officers may become involved in an extraordinary situation where immediate assistance is required. The Code of Virginia, 18.2-463, states that officers may require a citizen to assist them in the following circumstances:

1. In the execution of their office in a criminal case.

2. In the preservation of the peace.

3. In the arrest of a person for a breach of the peace.

4. In any case of escape or rescue.

P. Search Warrant Procedures

1. The purpose of these procedures is intended to result in a fruitful search, which withstands the rigors of court, as well as upholding the rights of citizens. Officers assigned the responsibility of an investigation involving a search warrant will be responsible for the proper and legal execution of the search warrant.

2. In the course of a detective or officers investigation it is determined that a search warrant is necessary to locate evidence related to the criminal investigation; officers and detectives will ensure that they are in compliance with Virginia State Code-19-56

3. Conduct Prior to the Execution of the Search Warrant

a. Every search warrant shall be directed:

(1) To any policeman of the city in which the place to be search is located;

(2) Jointly with any sheriff, police officer, state of federal law enforcement officers stated in state code.

b. The search warrant shall:

(1) Name the affiant;

(2) Recite the offense or the identity of the person to be arrested for whom a warrant or process for arrest has been issued in relation to which the search is to be made;

(3) Name or describe the place to be searched;

(4) Describe the property or person to be searched for;

(5) Recite that the magistrate has found probable cause to believe that the property or person constitutes evidence of a crime (identified in a warrant) or tends to show that a person (named and described) has committed or is committing a crime or that the person to be arrested for whom a warrant or process for arrest has been issued is located at the place to be searched.

(6) Command that the place be forthwith searched and that the objects or person described in the warrant, if found there be seized.

c. All officers will assure:

(1) The accuracy of the search warrant,

(2) Comply will all legal requirements relating with the search warrant,

(3) All search warrants will be reviewed by the officer/detectives supervisor.

(4) When feasible, the officer/detective will have either the Commonwealth Attorney or any of the Assistant Commonwealth Attorney's review the affidavit to ensure its legal defensibility,

(5) Prior to the execution of a search warrant the Chief of Police will be notified!

(6) Conduct a briefing prior to the execution of the search warrant,

d. The judge, magistrate or other official authorized to issue criminal warrants shall attach a copy of the affidavit as required in Virginia State Code 19.2-54, which shall become a part of the search warrant and served therewith.

e. The issuing judge, magistrate or other official shall retain the original copy of the affidavit at the time of issuance. The judge, magistrate or other official will file the original affidavit to the Clerk of the Circuit Court.

f. The officer preparing the search warrant shall personally observe the site of the search before a warrant is obtained. All reasonable measures shall be taken to establish the ownership, occupancy, and interior and exterior descriptions of the search site.

g. Search warrants should be served within five (5) days from being obtained. Prompt execution decreases the possibility that the target of the search will be made aware of the warrant's existence and will prevent the possible loss of probable cause. Reasonable delays must be articulable.

h. Search teams shall include at least one uniformed officer in all search warrant executions.

i. The officer assigned the investigation should be alert for any change in circumstances that negates the reason for the search. If either the supervisor or officer are not certain that the premises to be entered are the same as those listed in the warrant, or that the reason for the search no longer exists, no entry shall be made.

j. The detective or officer conducting the search will complete an operational plan.

(1) The supervisor and the officer responsible for obtaining the search warrant shall conduct a briefing prior to executing the warrant. The following factors shall be presented at the briefing:

(a) Review of the site characteristics.

(b) Description of potential occupants and any associated dangers they may pose.

(c) Description of items sought at the search site and any indication of their possible locations.

(d) Assignment of responsibilities for members of the search team.

(e) Review of facts of the case.

4. Execution of the Search Warrant

a. Any such warrant as provided in Virginia State Code 19.2-56 shall be executed by a policeman or other law enforcement officers or agent into whose hands it shall come or be delivered.

b. No other person may be permitted to be present during or participate in the execution of a warrant to search a place except:

(1) The owners and occupants of the place to be searched when permitted to be present by the officer in charge of the conduct of the search;

(2) Persons designated by the officer in charge of the conduct of the search to assist or provide expertise in the conduct of the search.

c. Knock and Announce Requirement

(1) **No member of the Emporia Police Department shall participate in a NO-KNOCK search warrant.**

(2) Announcement of Authority and Purpose:

(a) An officer, predetermined during the briefing, shall notify persons inside the search site of the team's presence, and shall, in a voice loud enough to be heard inside the search site, announce that they are police officers and that they have a warrant to search the premises, and that admission to the premises is demanded at once.

(3) Delay Following Announcement

(a) Officers before resorting to force entry into premises to be searched under warrant, must attempt to gain admittance peaceably by announcing their presence, identifying themselves as police and stating their purpose.

(b) Prior to forcing entry into a dwelling, the police are required to follow the Announcement Doctrine.

i. Knock;

ii. Identify themselves as Police Officers;

iii. Indication the reason for police presence;

iv. Wait a reasonable time for the occupants to answer the door.

(c) Knock and Announce serves several of the following purposes.

i. To protect against violence raised in self-defense by a resident surprised by an unannounced entry;

ii. To give individuals the opportunity to comply with the law and to avoid the destruction of property accompanied by a forcible entry;

iii. To give residents the opportunity to prepare

themselves for the entry of the police.

(d) There is NO specific time period or bright line rule establishing the length of time that the police must wait to enter after announcing their presence.

(e) NOT waiting for admittance can be treated as a NO-Knock search warrant.

(f) Waiting is also a key factor in the reasonableness of the use of force.

(g) The reasonableness of the delay varies with each case and depends on the totality of the circumstances.

(h) The acquiescence to the command of a search warrant is not discretionary. Police officers attempting execution of a valid search warrant need not coax compliance from an unwilling or un-responding party.

(4) Entry - When possible, premises shall be entered in a non-destructive manner. No force shall be initiated unless resistance is made by a person in the premises.

(5) Forceless Entry - The *knock and announce* requirement previously discussed applies to all entries accomplished by force. Use of force includes the opening of a closed door, entry through an open door, or the use of a key to gain entry.

d. Search warrants authorized to search of any place of abode shall be executed by initial entry of the abode only in the daytime hours between 8:00 am through 5:00 pm, unless.

(1) A judge or magistrate, if a judge is not available, authorizes the execution of such search warrant at another time for good cause shown by particularized facts in the affidavit;

(2) Prior to the issuance of the search warrant, law enforcement officers lawfully entered and secured the place to be searched and remained at such place continuously.

(3) A police officer shall make reasonable efforts to locate a judge before seeking authorization to execute the warrant at another time, unless circumstances require the issuance of the warrant after 5:00 pm, in which case the police officer may seek authorization from a magistrate without first making reasonable efforts to locate a judge. Such

reasonable efforts shall be documented in an affidavit and submitted to a magistrate when seeking authorization.

e. Ensure the proper recording of pertinent facts during the execution of the search warrant,

f. Immediate Examination of Search Site - The search site shall be secured. Each room of the premises shall be immediately examined for persons that may interfere with the warrant's execution.

(1) Persons Within Premises

(a) Permissible Search of Persons - Mere presence at a search site is not a factor that gives sufficient reason to search a person within the premises.

(b) For the search to be valid, the officer must articulate facts or circumstance within the search warrant affidavit providing probable cause to support the action taken.

(c) The affidavit must identify the persons to be searched by name and the basis for such search.

(2) Arrests

(a) Probable cause to arrest a person at the search site may arise during the execution of a search warrant. In that event, a search incidental to that arrest, and independent of the warrant, may be conducted.

(3) Permissible Frisk of Persons

(a) Any person within premises at the time the search warrant is executed or any person that voluntarily enters the premises after the search has commenced may be frisked, *if* the officer reasonably suspects that such person has a concealed weapon or dangerous instrument. Mere presence at the search site is not a sufficient reason to frisk a person within the premises.

(b) In order for the frisk to be proper the officer must be able to articulate facts or circumstances that provide reasonable suspicion to support the action taken. Nothing in this chapter should be construed as limiting the initial entry team personnel from frisking those persons already present to assure their own safety and the safety of others present.

(4) Restricting Movement of Persons - Restrictions may be placed on the movement of any person at the search site. This restriction is essential to prevent interference with the search and to safeguard the search team and other persons involved. The restriction shall be limited to the time needed to assure security.

(5) Seizure of Items Inadvertently Found - If contraband items are found, but not listed in the search warrant, they may be seized when the item could logically be seen within the scope of the warrant in an area controlled by the search warrant.

(6) Post Search Action

(a) Damaged Property - If damage occurs during entry, the supervisor in charge at the scene shall evaluate the need to assure the protection of the search site until repairs can be made. If it is in the Department's best interests, the supervisor shall assign personnel to protect the property until the person in control of the property is able to assure security.

(b) Warrant Return - The responsible officer shall ensure the return of the warrant to the issuing authority as soon as practical, and within the 72-hour time limit required by law. The officer shall swear under oath to a copy of the list of items seized and such fact shall be stated in the inventory sheet prior to the return to the court. If nothing is seized a statement to that effect shall be filed with the clerk of the circuit court of the jurisdiction where the search occurred within 72 hours.

(c) Return of Property - When non-contraband items seized during the execution of a search warrant are no longer needed for prosecution, they may be returned to the owner under authority of the Commonwealth's Attorney.

g. Vacant Search Sites - When entry into a vacant site is undertaken, the search team should seek entry with a key when possible. A copy of the search warrant, with affidavit attached, shall be placed in view at the site. Entry into a vacant search site is permissible only if one or more of the following conditions exist:

(1) Occupants will not be returning to the premises for an extended period of time, if at all;

(2) Investigation will be hampered if the premises are not immediately searched, and/or

(3) Executing the warrant at another time would cause

substantial inconvenience and improperly waste personnel time.

5. Post Execution of the Search Warrant

a. Any search warrant not executed within 15 days after issuance thereof shall be returned to, and voided by, the judicial officer who issued such warrant.

b. An inventory shall be produced before a court having jurisdiction of the offense or over the person for whom a warrant or process for arrest has been issued in relation to which the warrant was issued as provided in Virginia State Code 19.2-57, as amended.

c. Any evidence obtained from a search warrant executed in violation of Virginia State Code 19.2-56 shall not be admitted into evidence for the Commonwealth in any prosecution.

6. Search Warrant for Records

a. Any search warrant for records or other information pertaining to a subscriber to, or customer of, and electronic communication service or remote computing service, whether a domestic or foreign corporation, that is transacting or has transacted any business in the Commonwealth, to be executed upon such service provider may be executed within or outside the Commonwealth by hand, United States mail, commercial delivery service, facsimile, or other electronic means upon the service provider.

b. The officer/detective executing the search warrant shall endorse the date of execution and shall file the search warrant with the inventory attached, or a notation that no property was seized and the accompanying affidavit, unless such affidavit was made by voice or videotape recording, within three days after the materials ordered to be produced are received by the officer from the service provider.

c. The return shall be made in the circuit court clerk's office for the jurisdiction wherein the warrant was:

(1) executed, if executed with the Commonwealth and a copy of the return shall also be delivered to the clerk of the circuit court of the county or city where the warrant was issued, or

(2) if executed outside the Commonwealth. Saturdays, Sundays, or any federal or state legal holidays shall not be used in computing the three-day filing period.

7. Search Warrants for Financial Records:

a. Any search warrant for records or other information pertaining to a customer of a financial institution, money transmitter, commercial business providing credit history or credit reports or issuer may be executed with the Commonwealth by hand, United States mail, commercial delivery service, facsimile, or other electronic means upon the financial institution, money transmitter, commercial business providing credit history or credit reports, or issuer.

b. The officer/detective executing the search warrant shall endorse the date of execution thereon and shall file the warrant, with the inventory attached, or a notation that no property was seized and the accompanying affidavit, unless such affidavit was made by voice or videotape recording, within three days after the materials ordered to be produced are received by the officer from the financial institution, money transmitter, commercial business providing credit history or credit reports, or issuer.

c. The return shall be made in the circuit court clerk's office for the jurisdiction wherein the warrant was executed. Saturdays, Sundays, or any federal or state legal holiday shall not be used in computing the three-day filing period. For this section, the search warrant will not be considered executed in the jurisdiction where the entity on which the warrant is served is located.

d. Every search warrant shall contain the date and time it was issued. However, the failure of any such search warrant to contain the date and time it was issued shall not render the warrant void, provided that the date and time of issuing of said warrant is established by competent evidence.

e. The judge, magistrate or other official authorized to issue criminal warrants shall attach a copy of the affidavit, as required by Virginia State Code 19.2-54, which shall become a part of the search warrant and served together. The above procedure shall not be applicable in any case in which the affidavit is made by means of a voice or videotape recording or where the affidavit has been sealed in accordance with Virginia State Code 19.2-54.

8. Utilization of SWAT for the Execution of Search Warrants

a. A SWAT team will never be utilized to execute a search warrant for records or financial records.

b. The Chief of Police or the Major are the only individuals authorized to call out a SWAT team from another jurisdiction.

(1) If it is determined there is a need for a SWAT team, the following guidelines will apply:

(a) The search team will position itself as circumstances

dictate. If the SWAT Team is utilized, their supervisory personnel will coordinate positioning of all team members when the tactical unit is involved in the execution of the warrant.

(b) Exits from the premises are to be covered, where possible, at the diagonal corners of buildings.

(c) If the SWAT Team is involved, no member of the search team shall enter the dwelling until they are authorized to do so by the SWAT Team supervisor.

(d) Members of the search team with responsibility for the areas of the site farthest from the entrance shall enter first, followed by members with responsibility for areas nearer the entrance.

34.2.2 AUTHORITY TO EXECUTE THE CRIMINAL PROCESS

A. Every officer, to whom any order, warrant, or process may be lawfully directed, shall execute the same within the boundaries of the political subdivision in which he serves and may execute the same in any contiguous county or city in accordance with the provisions of Code of Virginia, 19.2-76. This legislation enables an EPD officer to execute criminal warrants at locations within the county that are contiguous to the City of Emporia.

B. Jurisdiction - Within the corporate boundaries of the City of Emporia, police officers empowered to enforce the Code of Virginia and the ordinances set forth in the *Emporia Code of Ordinances*. This authority extends to all property within the City including that owned and operated by any other county, city or City. See Code of Virginia, 15.2-1725.

1. EPD officers are empowered to enforce the criminal laws of the Commonwealth of Virginia to one (1) mile beyond the corporate limits of the City of Emporia. Offenses occurring within this 1-mile zone must be prosecuted under state law. Such enforcement should be limited to these situations where there is an immediate need to act. Traffic infractions are not covered under these guidelines. See Code of Virginia, 19.2-250.

2. When a person in the custody of an officer affecting an arrest escapes or flees, the officer with or without a warrant may pursue the person anywhere within the Commonwealth of Virginia. When actually in close pursuit, the officer may arrest the person where they are found. Additionally, if the person is arrested in an adjoining county or city, the arresting officer may return the person before a magistrate of the county, city or City from which the person fled. Otherwise, the person

must be taken to a magistrate located in the jurisdiction where the arrest is accomplished. See Code of Virginia, 19.2-77.

34.3 PROPERTY

A. All property obtained by the Department through the execution of the legal process will be documented pursuant to General Order 38.1.1, *Property Control,* and the property officer is responsible for maintenance of the property record keeping system as outlined in General Order 38.1.1(J,9), *Property Officer Responsibilities*.

B. All property acquired by the Department through the execution of the legal process is disposed of pursuant to the Code of Virginia, 15.1-133.01. The procedures to be followed in the disposition of property acquired through the legal process are provided in General Order 38.1.1 *Property Control* and 38.1.1 (J,9), *Property Officer Responsibilities.*

35.1 ADMINISTRATION

35.1.1 FCC REQUIREMENTS

A. The City of Emporia has been issued Federal Communications Commission (FCC) radio station licenses for frequencies used by the police department and other municipal departments of the city. All licenses and governed frequencies are maintained in the Communications center. Use of these communications frequencies shall be in compliance with FCC regulations by members of this agency.

B. FCC rules and regulations are located under Title 47 Code of Federal Regulations and may be accessed via the internet at http://wireless.fcc.gov/rules.html .

C. FCC regulations prohibit use of any obscene or profane language and require that all radio transmissions pertain to official police business.

D. State and federal privacy and security statutes prohibit broadcasting criminal history records. This does not prohibit broadcasting critical information to ensure officer safety. For example:

1. An individual's past tendencies or history of assaults.

2. If the individual is armed and dangerous.

3. If the individual's driving status is suspended or revoked.

a. Communication officers and police officers shall exercise discretion before broadcasting a complainant's, suspect's or a juvenile's name.

35.1.2 STAFF ADMINISTRATION

A. The Communications Center falls under the command of the Administrative Services Manager, who will be assisted by the Communications Supervisors.

B. Communications Supervisors

1. The Communications Supervisors are the first line supervisors who will supervise, organize and direct the activities of Communication Officers. The Communications Supervisors are responsible for commending, disciplining

and conducting performance evaluations on Communications Officers.

2. In the absence of a Communications Supervisor, Communications Center personnel fall under the command of the on-duty shift supervisor and shall obey all lawful orders issued to them by a supervisor.

3. If the on-duty supervisor has an issue or concern with a Communications Officer during their shift, they will address the issue as soon as possible and brief the Administrative Services Manager of the facts and circumstances.

35.1.3 COMMUNICATIONS PERSONNEL ATTENDANCE

A. Communication's Officers Work Schedule

1. The work schedule of the Communications Personnel will be set by the Administrative Services Manager.

2. The Communications Supervisors are under direct supervision of the Administrative Services Manager.

3. Communications Officers work schedules shall normally consist of eighty hours in a 14-day period.

4. Shift Rotation- The Department has two communications rotation that provides 24-hour shift coverage. The rotations will start at 0600 hours and ending 0600 hours after 48 hours on the weekday and 72 hours on the weekends in which they are assigned to work.

   a. Each rotation will be assigned an equal amount of communications officers. Communications Officers will work 0600 until 1800 or will work 1800 until 0600.

5. Continuous Coverage-To ensure continuous communications coverage, communications officers will start their tour of duty at 0600 and the next communications officer will start their tour of duty at 1600 and the final communications officer will arrive at work at 1800 hour.

6. Days-Off Scheduling – Each Communications Officer is required to work 40-hour per week and their schedules will be adjusted by the Administrative Services Manager to

ensure that no overtime occurs solely based on the 12-hour schedule.

a. Communications Officers assigned to either A or B Rotation will have assigned days off according to the rotation schedule

7. When there are personnel shortages or critical incidents, Communications Officers may be assigned to a schedule designed by the Chief of Police to provide adequate coverage.

8. Personnel assigned to the Communications Center will be expected to work overtime when times necessitate. Overtime shifts may be split in hourly increments or the Communications Officer may take the entire shift. Overtime for a Communications Officer will commence after 40 hours of work.

9. Communication Officers will be required to fill out a time sheet for every day they work within a two-week period and submit it on the Monday prior to payday by 8AM.

10. All leave must be approved by the Administrative Services Manager.

11. It will be the responsibility of the Administrative Services Manager to ensure that there is adequate communications coverage should a communications officers need leave or needs additional time off.

35.1.4 REPORTING FOR DUTY

A. Communications Personnel are required to be in their workstations at the start of their tour of duty. It is advisable for personnel to be in the Communications Center five minutes prior to the start of their tour of duty. This time is used to review any communications and/or on-going calls that may carry over to their shift from the previous shift. They should also do the following:

1. Check mailbox;

2. Inspect work area (damaged equipment/proper equipment);

B. The on duty Communications Officers shall inform the on-coming Communications Officers of any information that has occurred during their tour of duty and inform them of any special information that will or may occur on the next shift. The following items should be included:

1. Any problem with the equipment or conditions within the Communications Center.

2. Any activity that may overlap a shift (Police/Fire/Rescue)

3. Any new procedures or revision of an old procedure affecting Communications personnel.

4. Any incidents in progress (stake-outs, investigations, etc.)

C. Any personnel that are habitually tardy will be subject to disciplinary action which could cause termination of their employment.

D. The Communications Supervisors will have the responsibility to decide if a reason for being tardy is justified or not justified.

35.1.5 CONDUCT TOWARD THE PUBLIC

A. All employees will conduct themselves in a professional manner while on duty. Employees will conduct themselves in a courteous, pleasant manner in all dealings with the public.

35.1.6 SENSITIVE INFORMATION AND PRIVACY

A. Dissemination of Information

1. Requests for records or reports will be referred to the Administrative Serviced Manager. Public requests for copies of 911 recordings and radio transmissions will be referred to the Major.

2. Personnel may only release information to the public in which are authorized to disseminate. This includes press releases marked for public distribution. Information not available to the public includes employee information, criminal history information, juvenile offender information, confidential or sensitive law enforcement information and press releases and unusual occurrences not marked for public distribution. If there is a question whether

information may be released, verify with the Administrative Services Manager.

3. Communications personnel will not release sensitive information regarding employees to other inquiring employees. This includes employee involved incidents resulting in a call for service, injury, hospitalization or death. Communications personnel will refer inquiring employees to their own supervisors.

4. Other public safety agencies often call requesting information. If the request is for something more that the basic information we give to the public, obtain the call party's name and phone number. Verify the phone number in our department files, if necessary and then call them back at their agency with the information.

5. Information request via teletype are more secure and may be answered directly over the teletype. Information on crimes or incidents that have just occurred may be released via teletype in BOLO with an officer's authorization.

35.1.7 CONFIDENTIALITY

A. All Employees shall treat all information as confidential and the official business of the department. They shall not impart this information to anyone, except for whom it is intended, or as directed by their ranking officer, or as required by the law. This includes any information gained from the NCIC/VCIN terminal.

B. Content of any criminal record files in the EPD shall not be exhibited or divulged to any person other than a duly authorized police officer, except on approval of the Chief of Police or as required by law.

C. Communications personnel shall not remove any official Police/Fire/Rescue reports, logs, record books, etc. that may be within the Communications Center.

D. No communications personnel shall release any false and/or misleading information.

E. None of the previously mentioned regulations shall be construed by the Communications Officer to keep him/her from affecting the normal and proper exchange of information needed among communications employees in the performance of their duties.

F. Disposal of Documents

1. Prior to the end of each shift, all papers of a sensitive nature shall be shredded. This includes, but is not limited to, CAD print outs, BOLO's, law enforcement sensitive data and information, and teletype printouts that are unnecessary to retain or forward.

2. All print outs that have been received through the VCIN terminal will be yellow in color to distinguish the importance and sensitivity of the document.

3. Disposal of documents does not include original public records that must be retained in accordance with the Library of Virginia Records Retention Schedule.

G. Privacy

1. All employees need to be aware that they do not enjoy an expectation of privacy regarding the use of the following:

   a. departmental telephones;

   b. fax machines;

   c. mail, e-mails or correspondences;

   d. programs;

   e. equipment;

   f. department lockers or;

   g. any other agency property.

2. All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics or means of transmission, made or received pursuant to law or in connection with the transaction of official business are considered a public record.

H. Personnel Information

1. Communications will maintain a daily shift roster of Communications and Police personnel on-duty. Communications personnel have access to departmental

employees contact information through the CAD/RMS system. This contact information is sensitive and will not be released to any person unable to identify themselves as an Emporia Police Department employee. Communications personnel will verify who they are talking to are actually who they say that they are before any information is released.

35.1.8 RISK MANAGEMENT

A. The Chief of Police is responsible for the risk management for the police department, which includes the communications center.

B. The Chief of Police will ensure that when communications personnel are involved in any incident or occurrence where there may be a question of risk or agency liability due to the actions of a Communications employee, the affected employee will notify the communications supervisor.

C. The Communications Supervisor will notify the Administrative Services Manager who will determine if the incident should be reviewed.

D. The incident will be forwarded to the Chief of Police who will consult with the City Manager who will determine if the City Attorney needs to review the incident.

E. The City Attorney will review any necessary documents, phone calls, transmissions that pertain to the incident and report the results to the City Manager and the Chief of Police.

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2. Priority 1 and 2 emergency calls are processed on average within 1 minute, 20 seconds.

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B. All telephone calls and radio transmissions will be subject to review in order to objectively measure employee performance and evaluate the Communications Center overall compliance to correct procedure

C. The Communications Supervisors will conduct monthly documented quality service checks on employee's call taking and dispatch performance and will review a minimum of three calls or radio transmissions per employee assigned to the Communications Center

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4. Supervisors should be informed in the event of major crimes or circumstances. If a supervisor or assistance is needed, the request shall be made as briefly and clearly as possible.

5. Instructions given by Communications Officers will be followed. Officers assigned, as backup on calls for service will respond as directed. Officers will resume normal patrol immediately when told to disregard.

6. Under normal circumstances the assignment of patrol officers to complaints shall be directed by the priority and urgency of the event. High priority events (Priority 1 and 2) should be handled by the nearest units without regard to beat assignments. Complaints involving crimes against property or persons with no apparent potential for loss of life, continued loss of property, and in which the situation is stable, should normally be handled by the first available unit. Routine reports of past criminal activity or requests for non-investigative police services should normally be handled by the unit assigned to the sector of its occurrence. In these instances, the Communications Officer may assign complaints to units from other sectors when it appears such action will provide a more efficient patrol response. In all cases, if another unit determines that they are closer to a complaint of an emergency nature, they shall advise the Communications Officer of their proximity to the event as soon as the complaint is dispatched.

7. If additional units are required at the scene of an incident the Communications Officer shall assign the closest

available officer.

8. It is the responsibility of each officer to keep the Communications Officer advised of his/her status. Each officer is responsible for promptly advising and updating the Communications Officer of their status and location when leaving and returning to their vehicle. Changes of notified locations by officers shall be updated upon any movement.

9. When contacting the Communications Center, officers shall state their unit number and wait for an acknowledgement from a Communications Officer. It must be taken into consideration because of various duties, Communications Officers are not always prepared to record information without warning.

10. Communications Officers will not make any decisions concerning points of law, policy and procedural decisions regarding operations performed by officers. If an officer needs advice or assistance, their immediate supervisor is to be requested.

C. Supervisory Responsibility

1. Supervisors shall advise the Communications Center of personnel deployment and notify the Communications Officer of personnel deployment changes that affect patrol coverage.

2. It is the responsibility of the shift supervisor to monitor radio traffic to ensure that proper radio techniques are employed at all times and that excessive numbers of officers do not respond to calls.

3. Supervisors shall ensure that all officers under their command have access to a radio.

D. Communications Officers Responsibility

1. Communications Officers will classify events in accordance with the event table listed in the computer-aided dispatch system (CAD). Criminal events, which do not readily coincide with one of the listed event types. Non-criminal events in such cases are classified as “miscellaneous.”

2. The Communications Officer will determine, to the extent

possible, the urgency of the complaint. For each event the urgency indicators assigned will be:

a. *In Progress* - the event is in progress or occurred within five minutes of the call, or there is the possibility that the suspect may be present.

b. *Just Occurred* - the event occurred within 30 minutes of the call and the suspect has left the scene, but still may be in the area.

c. *Report* - The event occurred more than 30 minutes prior to the call and there is no reason to believe that a suspect is in the area.

3. The urgency indicator alone will not determine the rapidity of response by the officer. Procedures for officers to apply in the operation of police vehicles in response to calls for service are set forth in General Order 22.2.1. Officers will decide how to respond to complaints based on the information conveyed by the Communications Officer. It is imperative that this information be accurate. Every individual involved in the communication process shall exercise great care to obtain as much information as possible from the reporting source so that appropriate and correct decisions can be made.

Phonetic Alphabet

A – Alpha	N-November
B – Bravo	O – Oscar
C – Charlie	P – Papa
D – Delta	Q – Quebec
E – Echo	R – Romeo
F – Foxtrot	S – Sierra
G – Golf	T – Tango
H – Hotel	U – Uniform
I – India	V – Victor
J – Juliette	W - Whiskey
K – Kilo	X - X-ray
L – Lima	Y – Yankee
M – Mike	Z – Zulu

Example: When using the phonetic alphabet, officers shall state: *Victor, Uniform, Sierra, Eight, Nine, Two* for the license plate of VUS-892. Officers shall <u>not</u> state: V-Victor, U-Uniform, S-Sierra, Eight Ninety-Two

35.1 ADMINISTRATION

35.1.1 FCC REQUIREMENTS

A. The City of Emporia has been issued Federal Communications Commission (FCC) radio station licenses for frequencies used by the police department and other municipal departments of the city. All licenses and governed frequencies are maintained in the Communications center. Use of these communications frequencies shall be in compliance with FCC regulations by members of this agency.

B. FCC rules and regulations are located under Title 47 Code of Federal Regulations and may be accessed via the internet at http://wireless.fcc.gov/rules.html .

C. FCC regulations prohibit use of any obscene or profane language and require that all radio transmissions pertain to official police business.

D. State and federal privacy and security statutes prohibit broadcasting criminal history records. This does not prohibit broadcasting critical information to ensure officer safety. For example:

1. An individual's past tendencies or history of assaults.

2. If the individual is armed and dangerous.

3. If the individual's driving status is suspended or revoked.

a. Communication officers and police officers shall exercise discretion before broadcasting a complainant's, suspect's or a juvenile's name.

35.1.2 STAFF ADMINISTRATION

A. The Communications Center falls under the command of the Administrative Services Manager, who will be assisted by the Communications Supervisors.

B. Communications Supervisors

1. The Communications Supervisors are the first line supervisors who will supervise, organize and direct the activities of Communication Officers. The Communications Supervisors are responsible for commending, disciplining

and conducting performance evaluations on Communications Officers.

2. In the absence of a Communications Supervisor, Communications Center personnel fall under the command of the on-duty shift supervisor and shall obey all lawful orders issued to them by a supervisor.

3. If the on-duty supervisor has an issue or concern with a Communications Officer during their shift, they will address the issue as soon as possible and brief the Administrative Services Manager of the facts and circumstances.

35.1.3 COMMUNICATIONS PERSONNEL ATTENDANCE

A. Communication's Officers Work Schedule

1. The work schedule of the Communications Personnel will be set by the Administrative Services Manager.

2. The Communications Supervisors are under direct supervision of the Administrative Services Manager.

3. Communications Officers work schedules shall normally consist of eighty hours in a 14-day period.

4. Shift Rotation- The Department has two communications rotation that provides 24-hour shift coverage. The rotations will start at 0600 hours and ending 0600 hours after 48 hours on the weekday and 72 hours on the weekends in which they are assigned to work.

   a. Each rotation will be assigned an equal amount of communications officers. Communications Officers will work 0600 until 1800 or will work 1800 until 0600.

5. Continuous Coverage-To ensure continuous communications coverage, communications officers will start their tour of duty at 0600 and the next communications officer will start their tour of duty at 1600 and the final communications officer will arrive at work at 1800 hour.

6. Days-Off Scheduling – Each Communications Officer is required to work 40-hour per week and their schedules will be adjusted by the Administrative Services Manager to ensure that no overtime occurs solely based on the 12-hour schedule.

a. Communications Officers assigned to either A or B Rotation will have assigned days off according to the rotation schedule

7. When there are personnel shortages or critical incidents, Communications Officers may be assigned to a schedule designed by the Chief of Police to provide adequate coverage.

8. Personnel assigned to the Communications Center will be expected to work overtime when times necessitate. Overtime shifts may be split in hourly increments or the Communications Officer may take the entire shift. Overtime for a Communications Officer will commence after 40 hours of work.

9. Communication Officers will be required to fill out a time sheet for every day they work within a two-week period and submit it on the Monday prior to payday by 8AM.

10. All leave must be approved by the Administrative Services Manager.

11. It will be the responsibility of the Administrative Services Manager to ensure that there is adequate communications coverage should a communications officers need leave or needs additional time off.

35.1.4 REPORTING FOR DUTY

A. Communications Personnel are required to be in their workstations at the start of their tour of duty. It is advisable for personnel to be in the Communications Center five minutes prior to the start of their tour of duty. This time is used to review any communications and/or on-going calls that may carry over to their shift from the previous shift. They should also do the following:

1. Check mailbox;

2. Inspect work area (damaged equipment/proper equipment);

B. The on duty Communications Officers shall inform the on-coming Communications Officers of any information that has occurred during their tour of duty and inform them of any special information

that will or may occur on the next shift. The following items should be included:

1. Any problem with the equipment or conditions within the Communications Center.

2. Any activity that may overlap a shift (Police/Fire/Rescue)

3. Any new procedures or revision of an old procedure affecting Communications personnel.

4. Any incidents in progress (stake-outs, investigations, etc.)

C. Any personnel that are habitually tardy will be subject to disciplinary action which could cause termination of their employment.

D. The Communications Supervisors will have the responsibility to decide if a reason for being tardy is justified or not justified.

35.1.5 CONDUCT TOWARD THE PUBLIC

A. All employees will conduct themselves in a professional manner while on duty. Employees will conduct themselves in a courteous, pleasant manner in all dealings with the public.

35.1.6 SENSITIVE INFORMATION AND PRIVACY

A. Dissemination of Information

1. Requests for records or reports will be referred to the Administrative Serviced Manager. Public requests for copies of 911 recordings and radio transmissions will be referred to the Major.

2. Personnel may only release information to the public in which are authorized to disseminate. This includes press releases marked for public distribution. Information not available to the public includes employee information, criminal history information, juvenile offender information, confidential or sensitive law enforcement information and press releases and unusual occurrences not marked for public distribution. If there is a question whether information may be released, verify with the Administrative Services Manager.

3. Communications personnel will not release sensitive information regarding employees to other inquiring

employees. This includes employee involved incidents resulting in a call for service, injury, hospitalization or death. Communications personnel will refer inquiring employees to their own supervisors.

4. Other public safety agencies often call requesting information. If the request is for something more that the basic information we give to the public, obtain the call party's name and phone number. Verify the phone number in our department files, if necessary and then call them back at their agency with the information.

5. Information request via teletype are more secure and may be answered directly over the teletype. Information on crimes or incidents that have just occurred may be released via teletype in BOLO with an officer's authorization.

35.1.7 CONFIDENTIALITY

A. All Employees shall treat all information as confidential and the official business of the department. They shall not impart this information to anyone, except for whom it is intended, or as directed by their ranking officer, or as required by the law. This includes any information gained from the NCIC/VCIN terminal.

B. Content of any criminal record files in the EPD shall not be exhibited or divulged to any person other than a duly authorized police officer, except on approval of the Chief of Police or as required by law.

C. Communications personnel shall not remove any official Police/Fire/Rescue reports, logs, record books, etc. that may be within the Communications Center.

D. No communications personnel shall release any false and/or misleading information.

E. None of the previously mentioned regulations shall be construed by the Communications Officer to keep him/her from affecting the normal and proper exchange of information needed among communications employees in the performance of their duties.

F. Disposal of Documents

1. Prior to the end of each shift, all papers of a sensitive nature shall be shredded. This includes, but is not limited to, CAD print outs, BOLO's, law enforcement sensitive data

and information, and teletype printouts that are unnecessary to retain or forward.

2. All print outs that have been received through the VCIN terminal will be yellow in color to distinguish the importance and sensitivity of the document.

3. Disposal of documents does not include original public records that must be retained in accordance with the Library of Virginia Records Retention Schedule.

G. Privacy

1. All employees need to be aware that they do not enjoy an expectation of privacy regarding the use of the following:

   a. departmental telephones;

   b. fax machines;

   c. mail, e-mails or correspondences;

   d. programs;

   e. equipment;

   f. department lockers or;

   g. any other agency property.

2. All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics or means of transmission, made or received pursuant to law or in connection with the transaction of official business are considered a public record.

H. Personnel Information

1. Communications will maintain a daily shift roster of Communications and Police personnel on-duty. Communications personnel have access to departmental employees contact information through the CAD/RMS system. This contact information is sensitive and will not be released to any person unable to identify themselves as an Emporia Police Department employee. Communications personnel will verify who they are talking to are actually who they say that they are before any information is released.

35.1.8 RISK MANAGEMENT

A. The Chief of Police is responsible for the risk management for the police department, which includes the communications center.

B. The Chief of Police will ensure that when communications personnel are involved in any incident or occurrence where there may be a question of risk or agency liability due to the actions of a Communications employee, the affected employee will notify the communications supervisor.

C. The Communications Supervisor will notify the Administrative Services Manager who will determine if the incident should be reviewed.

D. The incident will be forwarded to the Chief of Police who will consult with the City Manager who will determine if the City Attorney needs to review the incident.

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4. Supervisors should be informed in the event of major crimes or circumstances. If a supervisor or assistance is needed, the request shall be made as briefly and clearly as possible.

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6. Under normal circumstances the assignment of patrol officers to complaints shall be directed by the priority and urgency of the event. High priority events (Priority 1 and 2) should be handled by the nearest units without regard to beat assignments. Complaints involving crimes against property or persons with no apparent potential for loss of life, continued loss of property, and in which the situation is stable, should normally be handled by the first available unit. Routine reports of past criminal activity or requests for non-investigative police services should normally be handled by the unit assigned to the sector of its occurrence. In these instances, the Communications Officer may assign complaints to units from other sectors when it appears such action will provide a more efficient patrol response. In all cases, if another unit determines that they are closer to a complaint of an emergency nature, they shall advise the Communications Officer of their proximity to the event as soon as the complaint is dispatched.

7. If additional units are required at the scene of an incident the Communications Officer shall assign the closest available officer.

8. It is the responsibility of each officer to keep the Communications Officer advised of his/her status. Each officer is responsible for promptly advising and updating the Communications Officer of their status and location when leaving and returning to their vehicle. Changes of notified locations by officers shall be updated upon any movement.

9. When contacting the Communications Center, officers shall state their unit number and wait for an acknowledgement from a Communications Officer. It must be taken into consideration because of various duties,

Communications Officers are not always prepared to record information without warning.

10. Communications Officers will not make any decisions concerning points of law, policy and procedural decisions regarding operations performed by officers. If an officer needs advice or assistance, their immediate supervisor is to be requested.

C. Supervisory Responsibility

1. Supervisors shall advise the Communications Center of personnel deployment and notify the Communications Officer of personnel deployment changes that affect patrol coverage.

2. It is the responsibility of the shift supervisor to monitor radio traffic to ensure that proper radio techniques are employed at all times and that excessive numbers of officers do not respond to calls.

3. Supervisors shall ensure that all officers under their command have access to a radio.

D. Communications Officers Responsibility

1. Communications Officers will classify events in accordance with the event table listed in the computer-aided dispatch system (CAD). Criminal events, which do not readily coincide with one of the listed event types. Non-criminal events in such cases are classified as “miscellaneous.”

2. The Communications Officer will determine, to the extent possible, the urgency of the complaint. For each event the urgency indicators assigned will be:

a. *In Progress* - the event is in progress or occurred within five minutes of the call, or there is the possibility that the suspect may be present.

b. *Just Occurred* - the event occurred within 30 minutes of the call and the suspect has left the scene, but still may be in the area.

c. *Report* - The event occurred more than 30 minutes prior to the call and there is no reason to believe that a suspect is in the area.

3. The urgency indicator alone will not determine the rapidity of response by the officer. Procedures for officers to apply in the operation of police vehicles in response to calls for service are set forth in General Order 22.2.1. Officers will decide how to respond to complaints based on the information conveyed by the Communications Officer. It is imperative that this information be accurate. Every individual involved in the communication process shall exercise great care to obtain as much information as possible from the reporting source so that appropriate and correct decisions can be made.

Phonetic Alphabet

A – Alpha	N-November
B – Bravo	O – Oscar
C – Charlie	P – Papa
D – Delta	Q – Quebec
E – Echo	R – Romeo
F – Foxtrot	S – Sierra
G – Golf	T – Tango
H – Hotel	U – Uniform
I – India	V – Victor
J – Juliette	W - Whiskey
K – Kilo	X - X-ray
L – Lima	Y – Yankee
M – Mike	Z – Zulu

Example: When using the phonetic alphabet, officers shall state: *Victor, Uniform, Sierra, Eight, Nine, Two* for the license plate of VUS-892. Officers shall <u>not</u> state: V-Victor, U-Uniform, S-Sierra, Eight Ninety-Two

35.1 ADMINISTRATION

35.1.1 FCC REQUIREMENTS

A. The City of Emporia has been issued Federal Communications Commission (FCC) radio station licenses for frequencies used by the police department and other municipal departments of the city. All licenses and governed frequencies are maintained in the Communications center. Use of these communications frequencies shall be in compliance with FCC regulations by members of this agency.

B. FCC rules and regulations are located under Title 47 Code of Federal Regulations and may be accessed via the internet at http://wireless.fcc.gov/rules.html .

C. FCC regulations prohibit use of any obscene or profane language and require that all radio transmissions pertain to official police business.

D. State and federal privacy and security statutes prohibit broadcasting criminal history records. This does not prohibit broadcasting critical information to ensure officer safety. For example:

1. An individual's past tendencies or history of assaults.

2. If the individual is armed and dangerous.

3. If the individual's driving status is suspended or revoked.

    a. Communication officers and police officers shall exercise discretion before broadcasting a complainant's, suspect's or a juvenile's name.

35.1.2 STAFF ADMINISTRATION

A. The Communications Center falls under the command of the Support Division Commander, who will be assisted by the Communications Supervisor.

B. Communications Supervisor

1. The Communications Supervisor is the first line supervisor who will supervise, organize and direct the activities of Communication Officers. The Communications Supervisor is responsible for commending, disciplining and conducting performance evaluations on Communications Officers.

2. In the absence of a Communications Supervisor, Communications Center personnel fall under the command of the on-duty shift supervisor and shall obey all lawful orders issued to them by a supervisor.

3. If the on-duty supervisor has an issue or concern with a Communications Officer during their shift, they will address the issue as soon as possible and brief the Support Division Commander of the facts and circumstances.

35.1.3 COMMUNICATIONS PERSONNEL ATTENDANCE

A. Communication's Officers Work Schedule

1. The work schedule of the Communications Personnel will be set by the Support Division Commander.

2. The Communications Supervisor is under direct supervision of the Support Division Commander.

3. Communications Officers work schedules shall normally consist of eighty hours in a 14-day period.

4. Shift Rotation- The Department has two communications rotation that provides 24-hour shift coverage. The rotations will start at 0600 hours and ending 0600 hours after 48 hours on the weekday and 72 hours on the weekends in which they are assigned to work.

   a. Each rotation will be assigned four communications officers. Two Communications Officers will work 0600 until 1800 and two communications officers will work 1800 until 0600.

5. Continuous Coverage-To ensure continuous communications coverage, two communications officers will start their tour of duty at 0600 and the next communications officer will start their tour of duty at 1600 and the final communications officer will arrive at work at 1800 hour.

6. Days-Off Scheduling – Each Communications Officer is required to work 40-hour per week and their schedules will be adjusted by the Support Division Commander to ensure that no overtime occurs solely based on the 12-hour schedule.

a. Communications Officers assigned to either A or B Rotation will have assigned days off according to the rotation schedule

7. When there are personnel shortages or critical incidents, Communications Officers may be assigned to a schedule designed by the Chief of Police to provide adequate coverage.

8. Personnel assigned to the Communications Center will be expected to work overtime when times necessitate. Overtime shifts may be split in hourly increments or the Communications Officer may take the entire shift. Overtime for a Communications Officer will commence after 40 hours of work.

9. Communication Officers will be required to fill out a time sheet for every day they work within a two-week period and submit it on the Monday prior to payday by 8AM.

10. All leave must be approved by the Support Division Commander.

11. It will be the responsibility of the Support Division Commander to ensure that there is adequate communications coverage should a communications officers need leave or needs additional time off.

35.1.4 REPORTING FOR DUTY

A. Communications Personnel are required to be in their workstations at the start of their tour of duty. It is advisable for personnel to be in the Communications Center five minutes prior to the start of their tour of duty. This time is used to review any communications and/or on-going calls that may carry over to their shift from the previous shift. They should also do the following:

1. Check mailbox;

2. Inspect work area (damaged equipment/proper equipment);

B. The on duty Communications Officers shall inform the on-coming Communications Officers of any information that has occurred during their tour of duty and inform them of any special information

that will or may occur on the next shift. The following items should be included:

1. Any problem with the equipment or conditions within the Communications Center.

2. Any activity that may overlap a shift (Police/Fire/Rescue)

3. Any new procedures or revision of an old procedure affecting Communications personnel.

4. Any incidents in progress (stake-outs, investigations, etc.)

C. Any personnel that are habitually tardy will be subject to disciplinary action which could cause termination of their employment.

D. The Communications Supervisor will have the responsibility to decide if a reason for being tardy is justified or not justified.

35.1.5 CONDUCT TOWARD THE PUBLIC

A. All employees will conduct themselves in a professional manner while on duty. Employees will conduct themselves in a courteous, pleasant manner in all dealings with the public.

35.1.6 SENSITIVE INFORMATION AND PRIVACY

A. Dissemination of Information

1. Requests for records or reports will be referred to the Records Technician. Public requests for copies of 911 recordings and radio transmissions will be referred to the Major.

2. Personnel may only release information to the public in which are authorized to disseminate. This includes press releases marked for public distribution. Information not available to the public includes employee information, criminal history information, juvenile offender information, confidential or sensitive law enforcement information and press releases and unusual occurrences not marked for public distribution. If there is a question whether information may be released, verify with the Support Division Commander.

3. Communications personnel will not release sensitive information regarding employees to other inquiring

employees. This includes employee involved incidents resulting in a call for service, injury, hospitalization or death. Communications personnel will refer inquiring employees to their own supervisors.

4. Other public safety agencies often call requesting information. If the request is for something more that the basic information we give to the public, obtain the call party's name and phone number. Verify the phone number in our department files, if necessary and then call them back at their agency with the information.

5. Information request via teletype are more secure and may be answered directly over the teletype. Information on crimes or incidents that have just occurred may be released via teletype in BOLO with an officer's authorization.

35.1.7 CONFIDENTIALITY

A. Employees shall treat all information as confidential and the official business of the department. They shall not impart this information to anyone, except for whom it is intended, or as directed by their ranking officer, or as required by the law. This includes any information gained from the NCIC/VCIN terminal.

B. Content of any criminal record files in the EPD shall not be exhibited or divulged to any person other than a duly authorized police officer, except on approval of the Chief of Police or as required by law.

C. Communications personnel shall not remove any official Police/Fire/Rescue reports, logs, record books, etc. that may be within the Communications Center.

D. No communications personnel shall release any false and/or misleading information.

E. None of the previously mentioned regulations shall be construed by the Communications Officer to keep him/her from affecting the normal and proper exchange of information needed among communications employees in the performance of their duties.

F. Disposal of Documents

1. Prior to the end of each shift, all papers of a sensitive nature shall be shredded. This includes, but is not limited to, CAD print outs, BOLO's, law enforcement sensitive data and information, and teletype printouts that are unnecessary to retain or forward.

2. All print outs that have been received through the VCIN terminal will be yellow in color to distinguish the importance and sensitivity of the document.

3. Disposal of documents does not include original public records that must be retained in accordance with the Library of Virginia Records Retention Schedule.

G. Privacy

1. All employees need to be aware that they do not enjoy an expectation of privacy regarding the use of the following:

   a. departmental telephones;

   b. fax machines;

   c. mail, e-mails or correspondences;

   d. programs;

   e. equipment;

   f. department lockers or;

   g. any other agency property.

2. All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics or means of transmission, made or received pursuant to law or in connection with the transaction of official business are considered a public record.

H. Personnel Information

1. Communications will maintain a daily shift roster of Communications and Police personnel on-duty. Communications personnel have access to departmental employees contact information through the CAD/RMS system. This contact information is sensitive and will not be released to any person unable to identify themselves as an Emporia Police Department employee. Communications personnel will verify who they are talking to are actually who they say that they are before any information is released.

35.1.8 RISK MANAGEMENT

A. The Chief of Police is responsible for the risk management for the police department, which includes the communications center.

B. The Chief of Police will ensure that when communications personnel are involved in any incident or occurrence where there may be a question of risk or agency liability due to the actions of a Communications employee, the affected employee will notify the communications supervisor.

C. The Communications Supervisor will notify the Support Division Commander who will determine if the incident should be reviewed.

D. The incident will be forwarded to the Chief of Police who will consult with the City Manager who will determine if the City Attorney needs to review the incident.

E. The City Attorney will review any necessary documents, phone calls, transmissions that pertain to the incident and report the results to the City Manager and the Chief of Police.

F. If any issues need to be addressed including; but not limited to, policy changes, training or discipline. The Chief of Police will assign the action to be taken to the Support Division Commander for appropriate action.

G. The City Manager's Office is responsible for ensuring that liability coverage is provided for all aspects of the Police Department, which includes the communications center.

H. The Support Division Commander will prepare an annual review and written report of the Communications Center issues and conditions that affect risk, worker's compensation and liability.

I. Agency Liability Report Required:

1. Communications personnel are required to submit a written report if they are involved in an incident where their performance or behavior has created an increased likeliness of death or injury to persons or significant loss of property.

2. The Communications personnel are required to submit the agency liability report prior to the end of their tour of duty to the Communications Supervisor.

J. Agency Liability Report Administrative Review:

1. The Communications Supervisor is responsible to conduct an administrative review to determine if there are any policy violations, training deficiencies or performance or behavior issues.

2. Upon conclusion of the administrative review the Communications Supervisor will forward it through the chain of command to the Chief of Police for final review.

3. If any level of the command staff determines that the incident needs to be investigated by the Internal Affairs function, then the incident will be logged into IA Pro and an Internal Affairs officer will investigate the complaint.

4. If the incident creates a liability risk for the City of Emporia the Chief of Police will notify the City Manager who will determine if the City Attorney needs to be notified.

K. Agency Liability Report Annual Analysis

1. On an annual basis, the Support Division Commander will collect and utilize data to complete an analysis of all agency liability reports to determine if any patterns or trends have been identified which could indicate:

a. training needs;

b. equipment upgrades;

c. policy modifications.

35.1.9 CRITICAL INCIDENT STRESS

A. The Emporia Police Department is committed to providing services to Communications personnel who have been exposed to stress associated with a critical incident.

1. Communications Officer who are exposed to stress through their involvement in a critical incident may be relieved from duty for the rest of their tour of duty, or the Chief of Police in consultation with the City Manager may place the Communications employee on administrative leave with pay.

2. The Communications personnel who was involved in the stressed related critical incident will be given the City's Employee Assistance Program to contact a counselor who the employee can speak with.

3. If the critical incident has noticeably effected the Communications Officer, then that effected communications employee will be referred to the City's Employee Assistance Program which is confidential or the Police Department may refer the employee to a counselor of the department's choice to determine fitness for duty.

4. The effected employee may be required to complete some type of program designed by the EAP or Department counselor along with follow-up action within a specific period of time.

5. The Police Department will provide stress recognition training to all employees of the Communication Center.

35.1.10 PERFORMANCE MANAGEMENT

A. The Communications Supervisor is responsible for overseeing the performance measurement process, including data collection, processing, and data cleaning and reporting.

1. Information that is gathered is monitored and analyzed in a continuous effort to evaluate organizational performance in order to improve the efficiency and quality of service.

B. The Communications Supervisor will establish a methodology and guidelines for measuring the quality and efficiency of services delivered by Communications Personnel.

1. Performance Measurement methodology shall consist of the collocation of pertinent numerical and statistical data obtained from manual and electronic information systems, which include CAD, RMS, Vesta-911 or any other database that is utilized by the Police Department. Compiled data will be reviewed for accuracy and cleaned, if necessary, to provide a fair evaluation of Communication personnel.

2. Current Communications Center staffing information, including vacancies, will be reviewed to identify any trends in efficiency.

C. Training

1. Communications personnel will receive training in the techniques utilized to evaluate employee performance measurement concepts. Personnel conducting

performance measures will receive training by the Communications Supervisor and/or related training courses.

D. Outcome Measures

1. At least 90% of incoming 911 calls are answered within 10 seconds.

2. Priority 1 and 2 emergency calls are processed on average within 1 minute, 20 seconds.

3. A high percentage of citizens are satisfied with the performance of Communications personnel.

4. A high percentage of calls are received and dispatched in accordance with proper procedures.

5. The following data may be utilized to measure performance:

   a. Number of calls received (911 and non-emergency);

   b. Total calls for service;

   c. Call answer time;

   d. Call processing time;

   e. Call taking time;

   f. Dispatching time;

   g. Quality assurance checks;

   h. Communications Center goals and objectives.

E. Data Cleaning

1. Events originally dispatched with a priority 2-5 that were later changed to a priority 0-1 will be switch to the original priority.

2. The following call types will be cleaned from the non-emergency/emergency call stats:

   a. Any type of escort;

   b. Alarms;

c. Special events or details;

d. On view events;

e. Events that occur at the Police Department.

3. Cancelled events and will be cleaned from the report

4. Data averages that do not satisfy outcome objectives will be verified for accuracy.

F. Quarterly Review of Performance Measurements

1. The Communications Supervisor will be responsible for conducting a documented quarterly review of the performance measurements for processing times for all incoming emergency lines. The review will address and document policy, training and remedial actions, if necessary.

a. Performance measurement results will be presented to the Chief of Police and command staff on a quarterly basis at the department staff meeting.

b. After reviewing the data, the Chief of Police and command staff will have the opportunity to provide feedback to the Communications Supervisor about performance measurement data and delivery of service to the community.

35.1.11 QUALITY ASSURANCE

A. The quality assurance program is designed to evaluate the quality of service provided to the public and departmental personnel and to improve individual performance to the highest level possible.

B. All telephone calls and radio transmissions will be subject to review in order to objectively measure employee performance and evaluate the Communications Center overall compliance to correct procedure

C. The Communications Supervisor will conduct monthly documented quality service checks on employee’s call taking and dispatch performance and will review a minimum of three calls or radio

transmissions per employee assigned to the Communications Center

1. Reviews may be completed utilizing call recordings, monitoring live calls, or a combination of the two.

2. Calls should be checked for appropriate questioning, techniques, tone of voice and overall professional conduct.

D. The Communications Supervisor will review any problems with the employee and employees will be given the opportunity to provide feedback on their review.

E. The Communications Supervisor will submit the results of the quality assurance checks and any recommendations to the Support Division Commander, who will forward them to the Chief of Police with the monthly paperwork.

35.1.12 COLLECTION OF DATA FOR CLIENT AGENCIES

A. The Emporia Police Department Communications Center provides support for the Emporia Police Department, Emporia Sheriff's Office, Greensville Volunteer Fire Department and the Greensville County Volunteer Rescue Squad.

1. The Emporia Police Department's Communication Center will provide data from the CAD/RMS system or Vesta Phone System to the Police Department, City Sheriff's Office, Fire Department or Rescue Squad.

2. Each requesting agency must submit their request to the Communications Supervisor or Records Technician who will provide the agency with the data or material that they are requesting.

35.1.13 POLICIES AND PROCEDURES

A. The Chief of Police is the only authorized authority to create, revise, modify or delete policies and procedures of the Communications Center.

B. The Chief of Police will receive input from the Fire Department and Rescue Squad to determine protocol for each agency.

35.1.14 INITIAL TRAINING

A. Recruit Communications Officers with no prior experience are to receive a minimum of four-weeks and no more than 16-weeks of

field training provided by a Communications Training Officer (CTO) prior to operating the Communications Center on a solo basis.

B. Communications Officers who have experience and have already received basic training will receive orientation training which will consist of learning the radio, phone and CAD/RMS system and complete an 8-hour ride-along with a patrol officer will be required to be released to solo dispatching within two-weeks.

C. Communications Personnel will be required to successfully complete a Department of Criminal Justice Services approved basic training for Communications Officers at a Police Academy.

D. The CTO will be assigned in accordance with general order 19.2.6.

35.1.15 AUTHORITY AND RESPONSIBILITY

A. Authority – Communications Officers issue directions carrying the authority of a staff command and their assignment of resources is made by classifying the information available on a situation, determining the time frame of the occurrence, then applying the appropriate departmental procedures. Police supervisors may change a Communications Officers direction based on the supervisor's knowledge of a specific situation.

B. General Responsibility

1. Personnel shall think *before speaking* on the police radio. They shall attempt to eliminate errors, increase clarity and reduce the possibility of having to repeat the message. Plain language, appropriate codes and the phonetic alphabet shall be used in accordance with the procedures set forth in this chapter.

2. Personnel shall not request services, give elaborate dispositions or transmit messages over the radio when they can be communicated by other means; such as, cell phones or Mobile Data Terminals.

3. Personnel shall acknowledge radio messages that are understood without elaboration. Personnel should not acknowledge a message until it is fully understood and necessary information is noted. Addresses, names, and other pertinent data should be recorded when initially dispatched, so the information will not have to be repeated.

4. Supervisors should be informed in the event of major

crimes or circumstances. If a supervisor or assistance is needed, the request shall be made as briefly and clearly as possible.

5. Instructions given by Communications Officers will be followed. Officers assigned, as backup on calls for service will respond as directed. Officers will resume normal patrol immediately when told to disregard.

6. Under normal circumstances the assignment of patrol officers to complaints shall be directed by the priority and urgency of the event. High priority events (Priority 1 and 2) should be handled by the nearest units without regard to beat assignments. Complaints involving crimes against property or persons with no apparent potential for loss of life, continued loss of property, and in which the situation is stable, should normally be handled by the first available unit. Routine reports of past criminal activity or requests for non-investigative police services should normally be handled by the unit assigned to the sector of its occurrence. In these instances, the Communications Officer may assign complaints to units from other sectors when it appears such action will provide a more efficient patrol response. In all cases, if another unit determines that they are closer to a complaint of an emergency nature, they shall advise the Communications Officer of their proximity to the event as soon as the complaint is dispatched.

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N-November
O – Oscar
P – Papa
Q – Quebec
R – Romeo
S – Sierra
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U – Uniform
V – Victor
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Example: When using the phonetic alphabet, officers shall state: *Victor, Uniform, Sierra, Eight, Nine, Two* for the license plate of VUS-892. Officers shall <u>not</u> state: V-Victor, U-Uniform, S-Sierra, Eight Ninety-Two

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2. The Communications Supervisor is under direct supervision of the Support Division Commander.

3. Communications Officers work schedules shall normally consist of eighty hours in a 14-day period.

4. The Communications Center personnel work a mixed hybrid schedule. Two Communications Officers work an 8:00 am until 4:00 pm shift while the remaining six Communications Officers shall work a 12-hour shift.

5. The normal shift times will be two communications personnel working 0800 until 1600. There will be 2 rotations of three communications officers: one working 0600 until 1800, another working 1600 until 0400 and the final communications officer working 1800 until 0600.

6. When there are personnel shortages or critical incidents, Communications Officers may be assigned to a schedule designed by the Chief of Police to provide adequate coverage.

7. Personnel assigned to the Communications Center will be expected to work overtime when times necessitate. Overtime shifts may be split in hourly increments or the Communications Officer may take the entire shift. Overtime for a Communications Officer will commence after 40 hours of work.

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5. Information request via teletype are more secure and may be answered directly over the teletype. Information on crimes or incidents that have just occurred may be released via teletype in BOLO with an officer's authorization.

35.1.7 CONFIDENTIALITY

A. Employees shall treat all information as confidential and the official business of the department. They shall not impart this information to anyone, except for whom it is intended, or as directed by their ranking officer, or as required by the law. This includes any information gained from the NCIC/VCIN terminal.

B. Content of any criminal record files in the EPD shall not be

exhibited or divulged to any person other than a duly authorized police officer, except on approval of the Chief of Police or as required by law.

C. Communications personnel shall not remove any official Police/Fire/Rescue reports, logs, record books, etc. that may be within the Communications Center.

D. No communications personnel shall release any false and/or misleading information.

E. None of the previously mentioned regulations shall be construed by the Communications Officer to keep him/her from affecting the normal and proper exchange of information needed among communications employees in the performance of their duties.

F. Disposal of Documents

1. Prior to the end of each shift, all papers of a sensitive nature shall be shredded. This includes, but is not limited to, CAD print outs, BOLO's, law enforcement sensitive data and information, and teletype printouts that are unnecessary to retain or forward.

2. All print outs that have been received through the VCIN terminal will be yellow in color to distinguish the importance and sensitivity of the document.

3. Disposal of documents does not include original public records that must be retained in accordance with the Library of Virginia Records Retention Schedule.

G. Privacy

1. All employees need to be aware that they do not enjoy an expectation of privacy regarding the use of the following:

a. departmental telephones;

b. fax machines;

c. mail, e-mails or correspondences;

d. programs;

e. equipment;

f. department lockers or;

g. any other agency property.

2. All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics or means of transmission, made or received pursuant to law or in connection with the transaction of official business are considered a public record.

H. Personnel Information

1. Communications will maintain a daily shift roster of Communications and Patrol personnel on-duty. Communications personnel have access to departmental employees contact information through the CAD/RMS system. This contact information is sensitive and will not be released to any person unable to identify themselves as an Emporia Police Department employee. Communications personnel will verify who they are talking to are actually who they say that they are before any information is released.

35.1.8 RISK MANAGEMENT

A. The Chief of Police is responsible for the risk management for the police department, which includes the communications center.

B. The Chief of Police will ensure that when communications personnel are involved in any incident or occurrence where there may be a question of risk or agency liability due to the actions of a Communications employee, the affected employee will notify the communications supervisor.

C. The Communications Supervisor will notify the Support Division Commander who will determine if the incident should be reviewed.

D. The incident will be forwarded to the Chief of Police who will consult with the City Manager who will determine if the City Attorney needs to review the incident.

E. The City Attorney will review any necessary documents, phone calls, transmissions that pertain to the incident and report the results to the City Manager and the Chief of Police.

F. If any issues need to be addressed including; but not limited to, policy changes, training or discipline. The Chief of Police will assign the action to be taken to the Support Division Commander for appropriate action.

G. The City Manager's Office is responsible for ensuring that liability coverage is provided for all aspects of the Police Department, which includes the communications center.

H. The Support Division Commander will prepare an annual review and written report of the Communications Center issues and conditions that affect risk, worker's compensation and liability.

I. Agency Liability Report Required:

1. Communications personnel are required to submit a written report if they are involved in an incident where their performance or behavior has created an increased likeliness of death or injury to persons or significant loss of property.

2. The Communications personnel are required to submit the agency liability report prior to the end of their tour of duty to the Communications Supervisor.

J. Agency Liability Report Administrative Review:

1. The Communications Supervisor is responsible to conduct an administrative review to determine if there are any policy violations, training deficiencies or performance or behavior issues.

2. Upon conclusion of the administrative review the Communications Supervisor will forward it through the chain of command to the Chief of Police for final review.

3. If any level of the command staff determines that the incident needs to be investigated by the Internal Affairs function, then the incident will be logged into IA Pro and an Internal Affairs officer will investigate the complaint.

4. If the incident creates a liability risk for the City of Emporia the Chief of Police will notify the City Manager who will determine if the City Attorney needs to be notified.

K. Agency Liability Report Annual Analysis

1. On an annual basis, the Support Division Commander will collect and utilize data to complete an analysis of all agency liability reports to determine if any patterns or trends have been identified which could indicate:

a. training needs;

b. equipment upgrades;

c. policy modifications.

35.1.9 CRITICAL INCIDENT STRESS

A. The Emporia Police Department is committed to providing services to Communications personnel who have been exposed to stress associated with a critical incident.

1. Communications Officer who are exposed to stress through their involvement in a critical incident may be relieved from duty for the rest of their tour of duty, or the Chief of Police in consultation with the City Manager may place the Communications employee on administrative leave with pay.

2. The Communications personnel who was involved in the stressed related critical incident will be given the City's Employee Assistance Program to contact a counselor who the employee can speak with.

3. If the critical incident has noticeably effected the Communications Officer, then that effected communications employee will be referred to the City's Employee Assistance Program which is confidential or the Police Department may refer the employee to a counselor of the department's choice to determine fitness for duty.

4. The effected employee may be required to complete some type of program designed by the EAP or Department counselor along with follow-up action within a specific period of time.

5. The Police Department will provide stress recognition training to all employees of the Communication Center.

35.1.10 PERFORMANCE MANAGEMENT

A. The Communications Supervisor is responsible for overseeing the performance measurement process, including data collection, processing, and data cleaning and reporting.

1. Information that is gathered is monitored and analyzed in a

continuous effort to evaluate organizational performance in order to improve the efficiency and quality of service.

B. The Communications Supervisor will establish a methodology and guidelines for measuring the quality and efficiency of services delivered by Communications Personnel.

1. Performance Measurement methodology shall consist of the collocation of pertinent numerical and statistical data obtained from manual and electronic information systems, which include CAD, RMS, Vesta-911 or any other database that is utilized by the Police Department. Compiled data will be reviewed for accuracy and cleaned, if necessary, to provide a fair evaluation of Communication personnel.

2. Current Communications Center staffing information, including vacancies, will be reviewed to identify any trends in efficiency.

C. Training

1. Communications personnel will receive training in the techniques utilized to evaluate employee performance measurement concepts. Personnel conducting performance measures will receive training by the Communications Supervisor and/or related training courses.

D. Outcome Measures

1. At least 90% of incoming 911 calls are answered within 10 seconds.

2. Priority 1 and 2 emergency calls are processed on average within 1 minute, 20 seconds.

3. A high percentage of citizens are satisfied with the performance of Communications personnel.

4. A high percentage of calls are received and dispatched in accordance with proper procedures.

5. The following data may be utilized to measure performance:

a. Number of calls received (911 and non-emergency);

b. Total calls for service;

c. Call answer time;

d. Call processing time;

e. Call taking time;

f. Dispatching time;

g. Quality assurance checks;

h. Communications Center goals and objectives.

E. Data Cleaning

1. Events originally dispatched with a priority 2-5 that were later changed to a priority 0-1 will be switch to the original priority.

2. The following call types will be cleaned from the non-emergency/emergency call stats:

a. Any type of escort;

b. Alarms;

c. Special events or details;

d. On view events;

e. Events that occur at the Police Department.

3. Cancelled events and will be cleaned from the report

4. Data averages that do not satisfy outcome objectives will be verified for accuracy.

F. Quarterly Review of Performance Measurements

1. The Communications Supervisor will be responsible for conducting a documented quarterly review of the performance measurements for processing times for all incoming emergency lines. The review will address and document policy, training and remedial actions, if necessary.

a. Performance measurement results will be presented to the Chief of Police and command staff on a quarterly basis at the department staff meeting.

b. After reviewing the data, the Chief of Police and command staff will have the opportunity to provide feedback to the Communications Supervisor about performance measurement data and delivery of service to the community.

35.1.11 QUALITY ASSURANCE

A. The quality assurance program is designed to evaluate the quality of service provided to the public and departmental personnel and to improve individual performance to the highest level possible.

B. All telephone calls and radio transmissions will be subject to review in order to objectively measure employee performance and evaluate the Communications Center overall compliance to correct procedure

C. The Communications Supervisor will conduct monthly documented quality service checks on employee's call taking and dispatch performance and will review a minimum of three calls or radio transmissions per employee assigned to the Communications Center

1. Reviews may be completed utilizing call recordings, monitoring live calls, or a combination of the two.

2. Calls should be checked for appropriate questioning, techniques, tone of voice and overall professional conduct.

D. The Communications Supervisor will review any problems with the employee and employees will be given the opportunity to provide feedback on their review.

E. The Communications Supervisor will submit the results of the quality assurance checks and any recommendations to the Support Division Commander, who will forward them to the Chief of Police with the monthly paperwork.

35.1.12 COLLECTION OF DATA FOR CLIENT AGENCIES

A. The Emporia Police Department Communications Center provides support for the Emporia Police Department, Emporia Sheriff's Office, Greensville Volunteer Fire Department and the Greensville County Volunteer Rescue Squad.

1. The Emporia Police Department's Communication Center will provide data from the CAD/RMS system or Vesta

Phone System to the Police Department, City Sheriff's Office, Fire Department or Rescue Squad.

2. Each requesting agency must submit their request to the Communications Supervisor or Records Technician who will provide the agency with the data or material that they are requesting.

35.1.13 POLICIES AND PROCEDURES

A. The Chief of Police is the only authorized authority to create, revise, modify or delete policies and procedures of the Communications Center.

B. The Chief of Police receive input from the Fire Department and Rescue Squad to determine protocol for each agency.

35.1.14 INITIAL TRAINING

A. Recruit Communications Officers with no prior experience are to receive a minimum of four-weeks and no more than 16-weeks of field training provided by a Communications Training Officer (CTO) prior to operating the Communications Center on a solo basis.

B. Communications Officers who have experience and have already received basic training will receive orientation training which will consist of learning the radio, phone and CAD/RMS system and complete an 8-hour ride-along with a patrol officer will be required to be released to solo dispatching within two-weeks.

C. Communications Personnel will be required to successfully complete a Department of Criminal Justice approved basic training for Communications Officers at a Police Academy.

D. The CTO will be assigned in accordance with general order 19.2.6.

35.1.15 AUTHORITY AND RESPONSIBILITY

A. Authority – Communications Officers issue directions carrying the authority of a staff command and their assignment of resources is made by classifying the information available on a situation, determining the time frame of the occurrence, then applying the appropriate departmental procedures. Police supervisors may change a Communications Officers direction based on the supervisor's knowledge of a specific situation.

B. General Responsibility

1. Personnel shall think *before speaking* on the police radio. They shall attempt to eliminate errors, increase clarity and reduce the possibility of having to repeat the message. Plain language, appropriate codes and the phonetic alphabet shall be used in accordance with the procedures set forth in this chapter.

2. Personnel shall not request services, give elaborate dispositions or transmit messages over the radio when they can be communicated by other means; such as, cell phones or Mobile Data Terminals.

3. Personnel shall acknowledge radio messages that are understood without elaboration. Personnel should not acknowledge a message until it is fully understood and necessary information is noted. Addresses, names, and other pertinent data should be recorded when initially dispatched, so the information will not have to be repeated.

4. Supervisors should be informed in the event of major crimes or circumstances. If a supervisor or assistance is needed, the request shall be made as briefly and clearly as possible.

5. Instructions given by Communications Officers will be followed. Officers assigned, as backup on calls for service will respond as directed. Officers will resume normal patrol immediately when told to disregard.

6. Under normal circumstances the assignment of patrol officers to complaints shall be directed by the priority and urgency of the event. High priority events (Priority 1 and 2) should be handled by the nearest units without regard to beat assignments. Complaints involving crimes against property or persons with no apparent potential for loss of life, continued loss of property, and in which the situation is stable, should normally be handled by the first available unit. Routine reports of past criminal activity or requests for non-investigative police services should normally be handled by the unit assigned to the sector of its occurrence. In these instances, the Communications Officer may assign complaints to units from other sectors when it appears such action will provide a more efficient patrol response. In all cases, if another unit determines that they are closer to a complaint of an emergency nature, they shall

advise the Communications Officer of their proximity to the event as soon as the complaint is dispatched.

7. If additional units are required at the scene of an incident the Communications Officer shall assign the closest available officer.

8. It is the responsibility of each officer to keep the Communications Officer advised of his/her status. Each officer is responsible for promptly advising and updating the Communications Officer of their status and location when leaving and returning to their vehicle. Changes of notified locations by officers shall be updated upon any movement.

9. When contacting the Communications Center, officers shall state their unit number and wait for an acknowledgement from a Communications Officer. It must be taken into consideration because of various duties, Communications Officers are not always prepared to record information without warning.

10. Communications Officers will not make any decisions concerning points of law, policy and procedural decisions regarding operations performed by officers. If an officer needs advice or assistance, their immediate supervisor is to be requested.

C. Supervisory Responsibility

1. Supervisors shall advise the Communications Center of personnel deployment and notify the Communications Officer of personnel deployment changes that affect patrol coverage.

2. It is the responsibility of the shift supervisor to monitor radio traffic to ensure that proper radio techniques are employed at all times and that excessive numbers of officers do not respond to calls.

3. Supervisors shall ensure that all officers under their command have access to a radio.

D. Communications Officers Responsibility

1. Communications Officers will classify events in accordance with the event table listed in the computer-aided dispatch system (CAD). Criminal events, which do not readily

coincide with one of the listed event types. Non-criminal events in such cases are classified as “miscellaneous.”

2. The Communications Officer will determine, to the extent possible, the urgency of the complaint. For each event the urgency indicators assigned will be:

   a. *In Progress* - the event is in progress or occurred within five minutes of the call, or there is the possibility that the suspect may be present.

   b. *Just Occurred* - the event occurred within 30 minutes of the call and the suspect has left the scene, but still may be in the area.

   c. *Report* - The event occurred more than 30 minutes prior to the call and there is no reason to believe that a suspect is in the area.

3. The urgency indicator alone will not determine the rapidity of response by the officer. Procedures for officers to apply in the operation of police vehicles in response to calls for service are set forth in General Order 22.2.1. Officers will decide how to respond to complaints based on the information conveyed by the Communications Officer. It is imperative that this information be accurate. Every individual involved in the communication process shall exercise great care to obtain as much information as possible from the reporting source so that appropriate and correct decisions can be made.

Phonetic Alphabet

A – Alpha
B – Bravo
C – Charlie
D – Delta
E – Echo
F – Foxtrot
G – Golf
H – Hotel
I – India
J – Juliette
K – Kilo
L – Lima
M – Mike
N-November
O – Oscar
P – Papa
Q – Quebec
R – Romeo
S – Sierra
T – Tango
U – Uniform
V – Victor
W - Whiskey
X - X-ray
Y – Yankee
Z – Zulu

Example: When using the phonetic alphabet, officers shall state: *Victor, Uniform, Sierra, Eight, Nine, Two* for the license plate of VUS-892. Officers shall not state: V-Victor, U-Uniform, S-Sierra, Eight Ninety-Two

35.2 COMMUNICATIONS OPERATIONS

35.2.1 24-HOUR DISPATCH OPERATIONS

A. The department conducts continuous dispatch operations 24-hours a day, seven days a week, utilizing radio, emergency and non-emergency telephone and data communications systems. The department provides continuous 24-hour two-way radio communications capability for city departments;

1. 911 Emergency Telephone Service

a. The department provides a 24-hour, toll free 911 telephone service for access to all emergency services provided by the City of Emporia. The 911 service shall serve as the single emergency telephone number to the communications center.

(1) Police;

(2) Fire;

(3) Rescue;

(4) Other City Departments.

B. Receiving and Answering Emergency Telephone Calls.

1. When a 9-1-1 emergency phone call is received at the Communications Center, the Communications Officer will answer with – 9-1-1, Dispatcher _____, What is your emergency?

C. Receiving and Answering Non-Emergency Telephone Calls.

1. When a non-emergency phone call is received at the Communications Center, the Communications Officer will answer with – Emporia Police, Dispatcher _____, How may I help you?

D. Dispatch handling of in-coming emergency and non-emergency phone calls with multiple dispatchers.

1. If there are two dispatchers working and a phone call is received:

a. The call should be answered as soon as possible and whichever dispatcher who answers the phone call is the primary call-taker for that call.

b. The second dispatcher immediately joins in on the call and monitors the call.

c. The primary dispatcher taking the call should obtain location, caller's name, call back number, and nature of complaint and enter the call for dispatch and hit "finished" to dispatch the call.

d. The primary dispatcher on the call will continue the call-taking procedure by asking questions and obtaining additional information.

e. The dispatcher will keep the caller on the line until responding unit (police, fire or ems) arrives on scene.

f. The secondary dispatcher, who is monitoring the call, immediately dispatches the call and monitors radio traffic and other phone lines.

g. The primary dispatcher on the call should enter pertinent information as it is received. The information must be entered as soon as it is received, and comments cannot be held. The secondary dispatcher immediately disseminates the information to fire responders.

h. If the Communications Supervisor is working, the Communications Supervisor will handle additional calls if both dispatchers are handling an emergency call.

i. Dispatchers will need to work as a team when handling calls.

E. Obtaining Complaint Information

1. Because a unit's response to a complaint is based upon the information from the communications officer, it is important to obtain this information from the caller quickly and accurately. In many situation, especially those that involve emergencies, the caller may not understand why they are being asked so many questions.

2. The Communications Officer must be able to communicate the need for information and take charge of the conversation

3. The following will assist the Communications Officer in judging the characteristics of a call to determine whether an emergency or non-emergency response is required.

    a. The Five “W’s”: Where, What, When, Who, Weapons.

        (1) WHERE is the help needed? If you can get one piece of information, make sure that is “where.” If the location is only piece of information obtained prior to being disconnected, units can still be dispatched. Callers do not always know where they are. Incident locations can be determined by street address, business or building name, cross streets, complex name and landmarks. Communications Officers will attempt to verify all incident locations with the caller. If the incident occurred outside of Emporia, the caller should be transferred to the proper agency.

        (2) WHAT is happening? Obtain the nature of the incident by having the caller briefly describe what is happening or happened. Determine whether the call is an emergency or non-emergency, obtain the necessary information from the caller and reference it correctly. The caller’s perception may differ from your own. For example, a caller may state that they have been robbed, when in reality it was a break-in or a theft.

        (3) WHEN did the event occur? Is it in progress? If not, how long ago did it occur? If a caller states that it just happen obtain a specific time frame.

        (4) WHO is the complainant or suspect? Is the complainant a victim, witness or participant in the incident? Get the caller’s name, address and phone number whenever possible. Ask questions in order of priority in case the caller

disconnects. Obtain descriptive information on any suspects, including name, address, physical and clothing description, vehicle description and current location or direction of travel.

(5) WEAPONS, if applicable. Are any weapons being used, threatened or available and where are the weapons. Obtain a description of the type of weapon. Units should always be advised of weapons when responding to a dangerous or potentially dangerous situation.

b. Descriptions

(1) When obtaining a description of a suspect or vehicle ask simple and direct questions: What color shirt was she wearing? Did he have any facial hair? Approximately how tall is he? Avoid open-ended questions, such as What did they look like?

(2) Person/Physical

i. Name
ii. Race
iii. Sex
iv. Age or DOB
v. Height
vi. Weight/Build
vii. Hair Color/Style
viii. Eye Color
ix. Physical Identifiers (scars, marks, tattoos, body piercing, physical disabilities.)

(3) Clothing:

i. Shirt Color/Style
ii. Pants of Shorts Color/Style
iii. Skirt or Dress Color/Style
iv. Clothing Identifiers (hat, purse, bag, glasses)

(4) Vehicle--An easy way to remember all parts of a good vehicle description is to remember the word “CYMBALS.” “CYMBALS” allows you to

obtain the easiest and most obvious information first, beginning with the basic vehicle and gradually getting more specific; however, in some cases it may be more important to get the tag number first while the complainant still has a visual on the vehicle

i. C= Color
ii. Y= Year
iii. M= Make/Model
iv. B= Body Style (2 door, convertible, hatchback)
v. A= Anyone inside of the vehicle
vi. L= License Plate/Tag Number
vii. S= State of License Plate or VIN

(5) Direction of Travel

i. When a person or vehicle pertinent to an incident leaves the scene, obtain a direction of travel. If the caller is uncertain about directions, try using landmarks:

- North (toward Jarratt)
- East (towards Southampton)
- South (towards Skippers
- West (towards Brunswick)

ii. In these situations, it is very important to be familiar with the city and surrounding areas. You can also try using a road (Purdy Road, Brink Road, Brunswick Ave.) or a city landmark (at the High School, at Veteran's Park.

4. Dispatching Officers to 911 Calls

a. A call for service should be generated for every 911 emergency call received by this agency for a location within the City of Emporia. An officer sent to investigate all 911 emergency calls emanating from a fixed telephone landline where a location can be determined through the 911 system except when all of the following conditions have been met;

b. There is a high call volume and the call has been pending for more than thirty minutes due to a lack of available officers;

c. The communications officer has been able to contact the location and speak with a person who;

(1) Sounds rational and competent; and

(2) States to be an adult over the age of eighteen.

d. States that the reason for the 911 call was one of the following;

(1) The number was dialed by mistake;

(2) A child was playing with the phone.

F. Non-Emergency Telephone Service

1. The Department's non-emergency telephone number to the Communications Center is 434-634-7320.

2. The Department's administrative telephone number is 434-634-2121.

3. The Department provides a telephone device for the deaf (TDD).

G. Non-English Speaking Callers

1. The Communications Center will utilize Language Line Solutions when the caller is unable to communicate using English. Language Line Solutions provides 24/7 interpreter services in over 240 languages. The procedure will be as follows:

a. Once the communications officer determines that an interpreter is needed, you will keep the caller on the line and transfer to **(800) 5231786.**

b. You will be prompted to enter your six (6) digit PIN/ID **942076.**

c. Then clearly state the name of the language you need (for example, Spanish).

d. The interpreter will come on the line and ask, “Is the other person on the line or do I need to call them for you?”

e. At that point, advise the interpreter that you have the person on the line, and you can connect them.

f. Once you connect them, you will be on a 3-way call and you will hear the conversation and the interpreter will relay what is being communicated.

g. Once the call is complete, you can thank them and disconnect the line.

h. It is important to make sure that the line in disconnected once your call is complete, the department is billed by the minute for this service.

35.2.2 TTY/TDD TELEPHONE CALLS

A. POLICY

1. The Emporia Police Department is committed to providing emergency and non-emergency communications to the hearing and speech impaired using the TTY (Teletypewriter). TTY is also known as TDD (Telecommunications Device for the Deaf) and it provides hearing-impaired and speech-impaired individuals with the ability to communicate over the telephone system.

B. PROCEDURE

1. Handling a TTY/TDD Call

a. Use the TTY/TDD panel to communicate with speech or hearing-impaired caller who contact the agency using a TTY/TDD device.

b. Phone consoles are configured to detect when a caller is using a TTY/TDD device and will automatically launch the TTY/TDD window.

c. If the console does not automatically detect a TTY/TDD call, the dispatcher should listen to the line to determine if the TTY/TDD screen needs to be opened to communicate with the caller. The TTY/TDD call can be identified by beeping tones or by a recorded message.

d. The TTY/TDD screen has a list of generic questions and statements that can be used to speed up communication.

e. The TTY/TDD Window provides the following information:

(1) Conversation pane—Messages are exchanged between the caller and console user. All entered text displays in the pane. Upper case type shows the TTY/TDD caller text; lower case type shows the console user's text.

(2) Characters Pending—Number of characters in the TTY/TDD message

(3) Message text box—Point of entry for manually entering TTY/TDD messages

(4) Detect TTY/TDD button—if the automatic TTY/TDD detection does not recognize the TTY/TDD call, a TTY/TDD session can be started using this button

(5) Voice button—Changes the call to a regular voice call

(6) Mode menu button—Lists TTY/TDD modes:

(a) Baudot (HCO) - Hearing Carry Over
Caller can hear but is speech impaired

(b) Baudot (VCO) - Voice Carry Over
Caller cannot hear but can speak

(c) ASCII Answer-Puts conversation in TTY/TDD mode. Console user can answer TTY/TDD calls

(d) ASCII Originate—Console user can initiate TTY/TDD call

(7) Session Control button—Console user can transfer control of a TTY/TDD call to another console user in conference and request control of a TTY/TDD call:

(a) Relinquish Session Control

(b) Request Session Control

(8) Print Button—Prints the TTY/TDD messages currently displayed in the TTY/TDD window

(9) Clear Button—Removes all TTY/TDD messages in the window

(10) Status Area—Displays Mode and Session Owner

(11) Send Button—Sends any typed messages from the Message box or selected pre-programmed message

(12) Pre-Programmed messages—frequently used TTY/TDD messages

(13) Pre-Programmed message categories—Buttons open the window to show categories of pre-programmed messages. (Police, Fire, Medical)

2. Answering a TTY/TDD Call

a. TTY/TDD Call can be received on the console as an incoming call, transferred call, and a conference call. The console is configured to detect a TTY/TDD call and launch the TTY/TDD window automatically as soon as the TTY/TDD call in answered.

b. If a call in answered and there is silence, beeping tones, or a recorded message the caller may be calling from a TTY/TDD device. The dispatcher should open the TTY/TDD window. Click TTY/TDD Button. Click Detect TTY /TDD

c. If no device is detected, follow agency procedure for silent calls.

3. Answering an ASCII TTY/TDD Call

a. Click TTY/TDD

b. In the TTY/TDD window, click Mode

c. Hearing Carry Over Mode (HCO)-allows speech-impaired caller to hear the dispatcher while the caller types messages

d. Voice Carry Over Mode (VCO)-allows hearing-impaired caller to talk to the dispatcher while the caller types messages.

4. Click ASCII Answer to begin the TTY/TDD session

a. When you connect to the TTY/TDD Call:

(1) You can send messages on the TTY/TDD window by either typing messages in the text box or by sending pre-programmed messages. Pre-programmed messages are categorized by type of emergency.

(2) As messages are typed, the characters appear in the conversation pane of the TTY/TDD window and the caller's TTY/TDD display at the same time.

(3) The TTY/TDD Window provides access to pre-programmed TTY/TDD language and abbreviations.

5. Conferencing and Transferring TTY/TDD Calls

a. A TTY/TDD call can be transferred in the same manner as other calls. Conference calls are also created in the same manner as other calls.

b. When a TTY/TDD call is transferred or conferenced, information of the caller displays in the Personal Call Appearance of the other console user. The messages of the conversation are transferred to the Conversation Pane of the TTY/TDD window of the transfer or conferenced party.

6 Placing TTY/TDD Outgoing Calls

a. The dispatcher can place an outgoing call by using the following features:

(1) Recent Calls window

(2) A contact in the Dial Directory

(3) A contact in the Contact Search window

(4) Dial a number from the Dial Pad or the Dial Directory

7. To Disconnect from the Caller:

a. When the conversation is over, click the Release button to release the line.

8. Clearing Calls from the TTY/TDD Window

a. A TTY/TDD call remains in the TTY/TDD window after the calls ends. The released call can be removed manually.

b. From the TTY/TDD window, click the Clear button

9. Printing TTY/TDD Calls

a. A conversation of a released or connected call must display in the TTY/TDD window.

b. From the TTY/TDD window, click the Print button

10. TTY/TDD Language and Abbreviations:

ASAP	As soon as possible, Urgent
CD Or CLD	Could
GA	Go ahead –your turn to transmit
GA to SK	Anything Else? Can I Hang Up?
H	Hold
HCO	Hearing carry over
HLD	Hold
MSG	Message
NBR or NU	Number
PLS	Please
QQ or Q or QM	Question Mark
R	Are
SHD	Should
SK	Stop Keying
SKSK	Goodbye. I am hanging up
TMW	Tomorrow
TTY	Teletypewriter
U	You
UR	Your
VCO	Voice Carry Over
XXX	Error, Erase

11. Training

a. All Communications Officers will receive initial training on the TTY/TDD system during their on-the-job training and will be documented in the training folder.

b. All Communications Officers will receive re-training on the TTY/TDD system every six months and will be documented in the Power DMS training module.

12. Testing

a. On a monthly basis the assigned Communications Supervisor will conduct testing on the TTY/TDD system and will document the testing in a CAD Event. Upon completion of the testing the communications supervisor will send an e-mail to the Administrative Services Manager advising completion of the testing for the TTY/TDD system.

35.2.3 TWO-WAY COMMUNICATIONS

A. The Emporia Police Department's Communication Center radio system provides multi-channel, two-way radio transmissions between the Communications Center and public safety organizations to include law enforcement, fire and rescue; as well as other non-emergency city departments such as public works.

1. The police radio and CAD messaging system is encrypted to protect sensitive communications which can enhance the safety and success of first responders by reducing the opportunity for persons to take advantage of emergency transmissions.

B. Every police and animal control vehicle is equipped with a radio to provide two-way communications with the communications center.

C. All on-duty law enforcement and animal control officers shall be equipped with portable radios to ensure they have continuous two-way communications capabilities with the communications center for the purposes of exchanging information, receiving orders and assignments, requesting assistance and responding to calls for service.

D. Officers are required to ensure the operational status of their assigned radio.

35.2.4 CALLS FOR SERVICE INFORMATION

A. Communications officers that receive a call for service will obtain as much information as possible. The amount of information necessary will depend on the nature of the call. Employees shall gather sufficient information in consideration of officer safety and anticipating conditions to be encountered at the scene.

B. In cases of a crime in progress, a crime that just occurred, or in

any case where the caller may be able to provide additional information, the caller shall be held on the telephone while an officer is dispatched. The communications officer shall continue to relay additional information to responding officers. If a call for service cannot immediately be assigned to an officer, the communications officer shall immediately notify the supervisor. When information is received in the Communications Center that warrants dispatching an officer on an auto theft investigation, the communications officer will broadcast a lookout for the stolen vehicle. The communications officer shall make broadcast updates as soon as additional information is received.

C. Every call for a police service is automatically assigned a CAD event number, this number will the year followed by a dash and then sequential numbers for the entire year (2020-999,999). A call for service may be a request from a citizen by telephone, in person, by letter, text, or from a self-initiated report by an officer. The following information shall be recorded when a call for police service is requested:

1. Control/CAD/Case Number

2. Date and time of request.

3. Name, address and phone number of complainant.

4. Nature or type of incident.

5. Location of incident reported.

6. Identification of Primary and Back-Up Officer

7. Time an officer is dispatched.

8. Time the officer arrives on the scene.

9. Time the officer returns to service.

10. Disposition and status of the reported incident.

D. Every reportable call will be assigned a case number, which is different from the CAD event number. The case number begins with the current year, followed by a dash, followed by the month, followed by a dash followed by the number. The number is consecutive, beginning with 001 until the end of the month (20-04-0100).

E. When an officer is dispatched or responds to assist a primary officer on a call, the dispatcher shall record that a back-up officer is responding. The call number will be the same number that the primary officer is assigned.

F. Back-up officers will be dispatched to calls for service whenever additional officers are required for the following reasons:

1. To ensure the safety of the primary officer;

2. To adequately and effectively handle multiple tasks required at the scene of an incident;

3. To control escalating situations;

4. To assist with the apprehension of suspects;

5. When the primary officer requests back-up.

G. The primary officer may cancel back-up after a careful appraisal of the scene and situation.

H. When back-up is required or requested, the officer closest to the location of the call shall acknowledge and respond if able to do so. Another officer may acknowledge a closer location at which time the original back-up shall be canceled.

I. Supervisors may alter these guidelines and assign back-up officers as situations dictate or at their discretion.

35.2.5 PROCEDURE FOR ASSIGNING OFFICERS TO CALLS

A. It is important to the effective and efficient operation of the department to have an established procedure for assigning personnel to calls for service. Officers, and animal control officers when appropriate, shall be assigned to a call for service based upon the location and the seriousness of the call.

B. Beat Structure

1. Officers are assigned patrol beats in accordance with general order 22.1.1. Whenever possible, officers shall be assigned to those calls occurring within their patrol beat. Officers may take a call from another officer whenever;

a. The officer may be within closer proximity to the location of the call for service;

C. Severity

1. Routine calls for service shall have one officer dispatched to them. The communications center shall, whenever possible, assign a minimum of two officers to any call for service that involves any of the following;

a. An assault or attempted assault of an officer;

b. Domestic violence;

c. Felony traffic stops;

d. When there is an alert for the location of the call indicating two officers are to be dispatched;

e. Any situation likely to result in a custodial arrest, to include;

(1) Warrants;

(2) Calls involving the use of weapons;

(3) Mentally disturbed individuals;

(4) Open doors or windows at businesses or residence;

(5) Situations where the alleged suspect is still at or about to leave the location.

(6) Alarms

(7) Crimes in progress;

(8) Fleeing suspects.

f. When sufficient information cannot be obtained to determine the severity of the call; and

g. Any other situation which, in the opinion of a supervisor, require a multiple officer response or when the original responding officer feels the situation warrants another officer (back-up).

D. Assignment of Supervisors to Calls

1. A supervisor shall be either dispatched to a call or called to the scene of a call by an on-scene officer when an incident of a serious nature occurs for the purposes of assuming command of the scene and control of the situation.

2. An on-duty supervisor shall be notified and will proceed to take command of the following types of incidents;

   a. Injury to a police officer or animal control officer;

   b. Traffic collisions involving a department vehicle;

   c. Vehicle and/or foot pursuits;

   d. Major crimes to include;

      (1) Felony property crimes, except auto theft (i.e. Burglary).

      (2) Felony crimes against persons (i.e. Assault involving serious injury and/or death, robbery, etc.)

      (3) Any situation involving the discharge of a firearm or the display of a deadly weapon.

   e. Barricade / Hostage situations;

   f. Natural / Manmade disasters (i.e. hazardous materials incidents)

   g. Any incident involving death or a possibility of death;

   h. Incidents involving an allegation against either an on-duty or off-duty member of this department;

   i. Large scale disruptions of public order (i.e. riots);

   j. Any incident involving an officer using physical force;

   k. Escaped prisoners;

   l. Any act of terrorism or threatened act of terrorism (i.e. Bomb threats);

m. Any situation where any of the following persons are either arrested or suspected of committing a crime;

(1) An employee of the City of Emporia;

(2) A police officer or other law enforcement officer; or

(3) An elected or appointed official from a neighboring government entity.

n. Any other incidents as requested by citizens, subordinates and/or supervisors.

E. Incident commanders must be logged for any of the following;

1. Any situation involving the discharge of a firearm;

2. Barricade / Hostage situations;

3. Natural / Manmade disasters (i.e. Hazardous materials incidents);

4. Large scale disruptions of public order (i.e. riots);

5. Escaped prisoners;

6. Any act of terrorism or threatened act of terrorism (i.e. Bomb threats).

35.2.6 PATROL RADIO PROCEDURES

A. Operations are more efficient and officer safety is enhanced when communications officers, supervisors and officers know the status and location of fellow officers, the nature of the incidents, and developments in their investigation. All officers shall communicate with a communications officer upon:

1. Arrival at the scene of an incident.

a. On the scene of any emergency, the first EPD unit responding to the scene will notify the communications center to call out Fire, Rescue, Public Works or Utilities, the Power Company or other agencies as needed.

2. Clearing the scene.

3. Making a vehicle or pedestrian stop.

4. Reporting a self-initiated incident.

5. Handling an assignment of administrative duty and leaving the vehicle.

B. Members of the Department will utilize the police radio system only for proper transmission of police related communications. Transmissions should be as professional, concise and complete as possible. At no time will members of the Department misuse or disrupt the radio systems with unauthorized transmissions.

C. Patrol officers are responsible for maintaining contact with the communications officer at all times during their tour of duty. Officers will respond promptly when called by the communications officer over the police radio system and will write down or otherwise record a message when dispatched to a call for service.

D. An alert tone is sounded by the communications officer prior to broadcasting an emergency call for service. When the alert tone has been sounded, officers and communications officers will limit broadcasts to emergency transmissions until the emergency call has been controlled.

E. When officers conduct activities other than calls for service, the communications officer will record those activities as administrative tasks. Included in these entries will be nature, location, disposition and time of the activities. These activities include:

1. Follow-up investigations.

2. Traffic stops.

3. Foot patrol and physical stops.

4. Warrant services.

5. Breaks.

6. Vehicle or equipment repairs.

7. Any situation where an officer may leave their vehicle.

F. Radio and CAD (Computer Aided Dispatch) Designators

1. The Radio Designator System shall be used by all Department personnel. The designators are designed to identify the individual officer. Personnel must adhere to their exact radio designators.

2. The CAD designator will be the permanent Employee Identification Number assigned to the employee and will be used to identify the employee in the computer.

35.2.7 INTEROPERABLE RADIO COMMUNICATIONS PLAN

A. The Emporia Police Department Emergency 911 Communications Center maintains multiple radio communications systems to provide, the extent possible, seamless communication among area public safety and public service agencies that may operate on dissimilar radio systems.

B. Interoperable radio communication systems and equipment include:

1. A radio system that includes a variety of talk groups designated for, but not limited to:

a. Primary dispatching;

b. Inquiries and requests;

c. Tactical operations;

d. Vehicle-to-Vehicle Communications;

e. Direct Communication among Public Safety Answering Points;

f. Local interoperability by every public safety and public service agency in the City of Emporia and Greensville County.

2. Mobile and Portable radios that are equipped with primary dispatch channels of other agencies.

C. Listing of All Frequencies Used By All Public Safety Agencies in the Area.

1. Emporia Police Department-155.8050/153.9725;

2. Greensville County Sheriff's Office-151.025/153.995;

3. SIRS-39.54;

4. Greensville County Fire Department-154.340/153.830;

5. Greensville County Rescue Squad-151.3325/156.2175;

6. Lifestar Ambulance Service-151.0025/155.340;

7. VTAC (EOC)-155.7525;

8. Halifax, NC Communications Center-155.250/155.970;

9. City of Emporia Public Works Department-155.955;

10. City of Emporia Public Utilities Department-460.300/465.300;

11. Emporia Police Department TAC-39.86.

D. Identification of the Person/Organization Responsible for Monitoring the CALL Channels and Assigning Tactical Channels.

1. The Communications Supervisors and Communication Officers with the Emporia Police Department may assign an interoperability channel patch and announce the assignment to other agencies.

E. Other Available Means of Audible Communications

1. The Emporia Police Department Communications Center does not have other available means of audible communications that is related to interoperable radio systems.

F. Annual Documented Interoperable Equipment Testing

1. On an annual basis, the assigned Communications Supervisor will conduct a documented testing of the interoperable radio system. Upon completion of the annual test the Communications Supervisor will document results in a CAD event report and will address any deficiencies in the notes section of the CAD event report and bring to the attention of the Administrative Services Manager.

35.2.8 PROCEDURE FOR RESPONDING TO EMERGENCY REQUESTS

A. An emergency request is any time an officer advises communications that they are involved in a situation whereby a suspect is engaging in

1. Fleeing from an officer;

2. Assaulting an officer;

3. Resisting arrest;

4. Threatening an officer (either while armed or unarmed).

B. In addition, emergency requests also include;

1. Activation of an officer's portable radio alert when it cannot be immediately confirmed that the activation was accidental;

2. Any other instance where an officer requests urgent or expedited backup.

3. Communications Officers should not hesitate in using this procedure whenever they are unsure about an officer's safety.

C. Procedure

1. Upon receiving an emergency request, communications officers shall;

a. Sound an alert tone over the radio;

b. Request that all other units to hold non-emergency radio traffic;

c. Notify all officers of the following;

(1) The officer requesting assistance;

(2) The requesting officer's location;

(3) The type of call the requesting officer is on; and;

(4) The reason for the request, if known.

d. The communications officer should attempt to locate the closest unit and confirm they are en- route to assist.

e. The communications officer shall then notify the on-duty supervisor;

f. The communications officer shall attempt to keep responding officers updated about the situation.

(1) Whenever possible, the radio log should be updated so that an accurate record of event times can be maintained.

35.2.9 HANDLING OF EMERGENCY AND NON-EMERGENCY CALLS

A. The Emporia Police Department's Communications Center serves as the Public Safety Answering Point for all communication within the City of Emporia during business and serves as an after-hours contact for the City when the Municipal Building is closed. This means that communications officers are often contacted about non-police related issues. Often times these are non-emergency issues; however, communications officers need to assess whether such a call is of an urgent (emergency) nature or non-emergency nature.

B. The CAD system is administratively set to determine if an event type is an emergency or non-emergency call for service. The CAD System will recommend the number of officers and supervisory response once a certain type of event code is entered by the Communications Officer.

C. Emergency/Priority Calls

1. Once a caller confirms that they have an emergency, the communications officer will determine if Police, Fire or Rescue response is necessary.

2. Communications Officers will enter the location, event type and other pertinent information and hit the FINISHED button to send the call to the officer assigned. The dispatcher will continuously update call notes to update the status of the complaint

3. Emergency or priority calls are those calls where the following is likely to occur if assistance is not immediately provided;

a. Death or serious injury;

b. Large scale property damage (i.e. loss of a house or other building);

c. A large disruption of utility services;

4. Procedures:

a. In the event of an emergency or priority call for services the communications officer shall;

(1) Advise the person calling that an officer will be en-route (if available) and that the communications officers will be contacting the appropriate agency to assist;

(2) If the person calling is in a location where they may be in danger then the dispatcher shall request they move to another location (i.e. leave the building);

(3) Dispatch an officer, if available;

(4) Dispatch any other emergency services that may be required (i.e. fire department, rescue squad, etc.);

(5) Contact an outside service able to assist in the matter (i.e. water department, public works, public utilities, the power company, etc.);

(6) The Communications Center will have telephone numbers for all internal and external sources that can assist police, fire and rescue.

5. Special Response Calls

a. The Communications Center will advise either Fire, Rescue or Police if a special response will be required. The appropriate agency supervisor will determine their agency's response to the type of call.

D. Non-Emergency Calls

1. Communications Officers will enter the location, event type, complainant information and remarks into CAD, then hit finished. Any updates or changes in complainant information may be added to the CAD event report.

2. Communications officer should finish a call into CAD within one minute of receiving the call whenever possible. All calls

should be accepted into CAD within three minutes of receiving the call for service.

E. Referral of Outside Services

1. In the event of a call for outside services the communications officer will;

a. Advise the person calling either;

(1) That the communications officer will be contacting the outside service; or

(2) How the caller can contact the outside service.

(3) The communications officer should contact any on-call city personnel available to handle the situation.

(4) In the event there is no on-call person then the caller should be informed how to contact the appropriate department during normal business hours.

(5) The Communications Officer will give the caller instructions to assist the caller prior to the arrival of the first responders or completion of the call.

F. Administrative Calls

1. If the Communications Center receives any phone calls for police department, animal control personnel or emergency services the communications officer will transfer the call to the extension or cell phone of the employee that the individual is asking for.

2. If an individual is asking to speak to someone outside of the Police Department headquarters, such as: Fire Department, Rescue Squad, Courthouse, County Sheriff's Office, City Sheriff, any other City Department or Public Utilities Service the Communications Officer will give the individual calling the appropriate phone number so they can make direct contact.

35.2.10 ACCESS TO RESOURCES

A. Immediate Access to Communications Center Resources:

1. The Emporia Police Department Communications Center has two supervisors and when on-duty their status is displayed in the CAD system.

2. The Communications Center will ensure that the duty roster of all personnel will be posted in the Communications Center on the CAD screen.

3. The Communications Center will have telephone numbers for all police department employees that they have available at their residences, whether they are cell phones or land-lines.

4. Communications Center personnel have access to visual maps of the City of Emporia which is located on each CAD terminal in the Communications Center.

5. The Communications Center has the appropriate telephone numbers for procuring emergency and the necessary external services for police, fire or rescue.

6. The Communications Center has access to tactical dispatching plans associated with critical incidents in the Power DMS system as well as the CAD System.

7. The Communications Center's All-Hazard Plan is available to all communications personnel in the Power DMS system

B. Immediate Access to Client Agency Resources

1. The Communications Center will have the patrol, criminal investigations and special operations on-duty supervisor displayed on the CAD screen.

2. When the Fire Department and Rescue Squad are actively working a call, the officer-in-charge of fire and rescue will be displayed on the CAD screen

3. The Communications Center will ensure that the duty roster of personnel from patrol, special operations and criminal investigations will be posted in the Communications Center on the CAD screen.

4. Call-Out Procedures

   a. The Communications Center when notified by a patrol supervisor will contact and notify the on-call detective that they are needed at the scene of a crime.

   b. The Communications Center at the direction of a police officer or supervisor will make contact with on-call public service or utility departments whose contact numbers are located within the CAD system.

5. Communications Center personnel have access to visual maps of the City of Emporia which is located on each CAD terminal in the Communications Center; while patrol officers have the visual map of the City of Emporia located within their mobile data terminal.

6. Public Safety Officer Status Indicators

   a. Sworn police officers are required to mark on and off duty through either their mobile data terminals or verbally notifying the Communications Center.

   b. Sworn police officers will notify the communications center of their status and location either through the mobile data terminals or verbally marking out of service through the use of their radios.

7. The Communications Center has the appropriate telephone numbers for procuring emergency and the necessary external services for police, fire or rescue.

8. The Communications Center has access to tactical dispatching plans associated with critical incidents in the Power DMS system as well as the CAD System.

9. The Communications Center has access to the Police Departments All-Hazard Plan and the City's Emergency Operations Plan which is located in the Power DMS system

35.2.11 PROCEDURE FOR VICTIMS/WITNESS ASSISTANCE CALLS

A. This order pertains to the procedures communications officers are to follow when receiving a call in reference to a victim / witness seeking assistance. Communications Officers should be familiar

with the responsibilities of the officers and supervisors as governed under general order 32.1 (Victim / Witness Assistance)

B. Communications personnel shall first determine whether an emergency or non-emergency situation exists. Emergency situations exist when there is an immediate threat to;

1. The person's physical safety;

2. The physical safety of the person's close relative; and/or

3. The person's residence or other property.

C. If an emergency situation exists then the communications officer shall dispatch an officer(s) to render assistance or shall contact the appropriate law enforcement agency if the person is not located within the City of Emporia.

D. In non-emergency situations where the person is located within the City of Emporia, the communications officer shall enter a call for service and dispatch an officer to speak with the person. In the event the person is not located within the city or the person requests that an officer not respond then;

1. A call for service shall be entered;

2. Communications Personnel will determine if a victim/witness request for initial information or subsequent requests requires the presence of a police officer, detective, victim/witness advocate or advocate from the Family Violence and Sexual Assault Unit.

3. An officer shall be summoned to speak with the person via telephone. In some cases, it may be necessary to have the person leave a telephone number where they can be contacted so an officer may return the telephone call;

4. Officers shall be notified within fifteen minutes of the telephone call being terminated; otherwise the communications officer shall contact the person and advise them that an officer is not yet available to speak with them but will be given the message as soon as possible.

E. In all cases, the communications center shall inform the victim/ witness of the department's response;

1. Whether an officer is en-route and if there is an expected delay;

2. Whether an officer will telephone them and if there is an expected delay; *or*

3. Whether an outside law enforcement agency will be contacted.

F. The communications center shall notify an on-duty supervisor whenever a call for victim / witness assistance is received.

35.2.12 REPORTS TAKEN BY TELEPHONE

A. The Department may at times receive calls for service over the telephone. By handling some complaints over the telephone, this will increase the patrol officer's visibility in the community. This also offers citizens a convenient and timely way to report an incident or provide additional information to a previous report. The Emporia Police Department may at times receive any type of complaint through the mail, or internet.

B. The following reports are authorized to be taken over the telephone;

1. Larceny (past);

2. Theft of gasoline where no vehicle license plate was obtained;

3. Lost property;

4. Requests for extra patrol;

5. Suspicious Activity;

6. Information reports;

7. Obscene, threatening or abusive telephone calls;

8. Suspicious Activity;

9. Other: Consideration will be given when the caller is not in Emporia and it is neither practical nor necessary for the caller to come back to Emporia or the officer to go to the complainant's location.

C. Telephone incident reports shall be logged into the Records Management System, given a report number, and stored in the computer files. The person taking the report over the telephone is responsible for completing all associated records and documents.

D. If any of the following conditions exist, the call does not qualify for telephone reporting:

1. Offense in Progress;

2. Offender is at the scene or the probability of immediate apprehension exists;

3. Suspect is known and is at the scene or in the immediate area;

4. Where physical evidence may exist;

5. Witnesses need to be interviewed;

6. Facts appear to warrant a patrol officer response;

7. The caller insists on speaking with a police officer;

8. An officer shall be dispatched if a suspect is on scene or if the reporting party is emotionally upset.

35.2.13 PROCEDURES FOR RADIO COMMUNICATIONS

A. Radio traffic should be brief, concise and limited to official business. All radio communications shall be conducted in plain English without the use of 10 codes, signal codes, etc. A uniformed and disciplined approach to radio traffic shall be maintained by all department personnel at all times.

B. Circumstances Requiring Communications Center Notification

1. In addition to any other department orders, patrol officers and field personnel shall communicate the following to the communications center via radio or data communications;

2. When going on-duty or off-duty from the field;

a. Officers arriving at off-duty and secondary employment shall notify the communications center of their location.

3. When arriving and departing a call for service;

4. Officers shall report their location when going out of service;

5. When encountering a suspicious or wanted person officers shall advise their location and, if possible, the identity and/or description of the person.

C. Incident Commanders

1. All supervisors are required to notify communications whenever they assume command of a major incident.

2. Communications Officers shall log said information into the call for service log.

3. For tactical or special operations, the incident commander or supervisor in charge of the operation may have the Communications Center designate the tactical channel for all communications for that specific operation. The use of this channel will be documented in the Special Event Plan of Action or the Search Warrant Operational Plan.

D. Communications with Other Agencies

1. When communicating with other agencies, such as: the Emporia Sheriff's Office, Greensville Fire Department, Greensville Volunteer Rescue Squad, other City Department or any other outside agency personnel all radio communications shall be conducted in plain English without the use of 10 codes, signal codes, etc.

E. Status of Officers

1. The status of officers shall be maintained as part of the CAD radio log. Officers may either place themselves "out-of-service" via their mobile data terminal (MDT) or via radio communications with the communication center. Communications Officers shall enter the status of all officers upon receiving a radio communication.

    a. After a specified time period, Communications Officers will conduct welfare checks on personnel who are out on a call for service or traffic stop for an extended period of time.

2. When officers need immediate assistance in the field they can press the orange emergency button on either their portable or mobile radios.

a. Upon activation of the emergency alert an alarm will activate on the radio system the officer requiring assistance will have an open radio whereby all of their radio traffic can be heard. In addition a visual box with a message will be visible in the Communications Center for the Communications Officer to have an audio and visual that an officer needs assistance.

b. The Communications Officer will listen to radio traffic to determine if the officer is in need of assistance or it was pressed by accident.

c. If an emergency response is needed, the Communications Officer will advise all police personnel that the officer needing assistance is at a specific location based upon the GPS location from the CAD system.

d. The Communications Officer will keep the radio system alarm open until officers arrive on the scene to assist the officer requesting assistance.

e. Once officers arrive on the location of the requesting officer, then the Communications Officer will clear the screen in the Communications Center

F. Identification of Officers and Civilian Personnel

1. Officers and civilian personnel are assigned unit numbers which are used to identify them in radio communications and radio log entries. All department unit numbers are formatted as follows;

a. Begin with the Department three-digit Number;

b. In order to maintain concise radio communications, personnel shall use the three-digit number to identify themselves when communicating with this department's dispatch center. (Example: Emporia 101 would identify himself simply as "101") However, when communicating with another agency officers shall identify themselves using the agency name and their two or three-digit number (Example: "Emporia 101")

G. Notification of Wanted Persons / Vehicles

1. Communications personnel should remain cognizant of the fact that persons who may be wanted on warrants or in possession of stolen property present an imminent danger to officers.

2. Whenever the communications center receives a wanted person / property notification they shall immediately (prior to confirmation) notify the officer by the following procedure:

a. The communications officer shall immediately assign an officer as backup if the officer is alone with an offender;

b. The communications officer shall make reasonable attempts to make sure the officer can receive radio traffic but that the offender cannot over hear said radio traffic. This can be accomplished by using the phrase, “Are you clear for traffic?” or “Is your radio secured?”

c. The communications officer shall relay all pertinent information to the officer.

d. Once the officer has been apprised of the information then the communications officer can proceed to confirm the information.

35.2.14 RECORDING AND PLAYBACK OF COMMUNICATIONS

A. The Major is responsible for the maintenance and operation of the EPD 24-hour digital recorder. The recorder shall have immediate playback capability and will record all radio transmissions and telephone line usage within the Police Department. Recordings are retained and stored for safekeeping for a minimum of three (3) years.

B. Any requests for a copy of a recording must be done through the Major.

C. The Department will record the following communication:

1. Police department main frequency;

2. Fire department and rescue squad main frequencies;

3. All 911 telephone lines;

4. All telephone calls to the communications center non-emergency telephone number (434) 634-7320.

D. Department personnel (other than communications officers) who request a copy of radio / telephone traffic shall submit a request to the Major. The request must contain the reason for the request and the approximate date / time of the incident. The Major may, at his/her discretion, require that the request be made in writing.

E. Copies of recordings for the public may only be authorized by the Chief of Police or Major. The release of any recorded telephone / radio conversation(s), to include transcripts, to the public shall conform to the Virginia Freedom of Information Act.

F. Nothing in this section forbids the immediate playback of recorded conversations by communications officers for verification of information received.

35.2.15 ACCEPTING AND DELIVERING EMERGENCY MESSAGES

A. Emergency notification calls, either from citizens or from public agencies, will be handled as a call for service. These calls will be judged on their own merit as to the priority they will receive. If communications personnel are unsure as to how to proceed with a call, they shall notify the shift supervisor.

B. Emergency messages may be delivered subject to the availability of patrol officers.

C. Messages of an emergency nature, dealing with the health and welfare of persons and/or their property, death notifications and messages dealing with attempts to locate individuals will be accepted and logged by communications center personnel and relayed as soon as possible to on-duty officer(s).

D. No officer shall request that communications center personnel make a telephone call to a third party unless;

1. The call is an emergency;

2. The call is to assist a stranded motorist requesting a locksmith for a vehicle lock-out or a towing company for a private tow; however, officers will not request that a call be placed to a travel club or other motorist assistance club (i.e. AAA).

3. The call is necessary in a tactical situation; and/or

4. A supervisor requests the call.

35.2.16 MISDIRECTED EMERGENCY CALLS

A. Any misdirected emergency calls received via 911 can, in most cases, be immediately transferred to the proper public service agency. Communications personnel should not offer to relay information to another agency of a non-emergency nature. Instead, the caller should be given the proper agencies name and telephone number, if that information is quickly available, and instructed to call that agency with the information.

B. Procedure

1. The following shall be the procedure for transferring misdirected emergency calls:

a. If the call can be forwarded via a 911 transfer button, this will be done immediately.

b. The communications officer shall advise the caller the jurisdiction the call will be transferred to.

c. Once the call is placed, the Communications Officer shall identify him/herself and stay on the line until the call has been transferred and confirmed by the agency or jurisdiction.

d. If 911 transfer button is not available for the jurisdiction in question, then;

(1) The communications officer should obtain the following information;

(a) The location of the caller;

(b) A telephone number where the caller can be reached;

(c) A brief synopsis of the emergency.

(2) The communications officer shall attempt to forward the call to the state police or local agency which has jurisdiction over the location.

(3) The communications officer shall make an attempt to determine and contact the appropriate law enforcement agency and provide them with the previously stated information.

35.2.17 HANDLING DIFFICULT CALLERS

A. Communications Officers will remain professional at all times when handling situations involving difficult or uncooperative callers.

B. Communication Officers must take into consideration that a caller may suffer from:

1. Medical or mental incapacitation;

2. May be under the influence of alcohol or drugs.

C. Extra effort and patience must be observed in handling such callers.

D. In some cases the caller may be abusive or use obscene language:

1. Before disconnecting the phone call, the communications officer must determine that there is not an emergency or unit response required.

2. If a unit a response is required, the communications officer should obtain as much information from the caller as possible and enter a call for service into the CAD system.

35.2.18 HANDLING CALLS FROM ELDERLY AND CHILDREN

A. Communications Officers should be aware that calls receive from children or the elderly may require special considerations.

B. Calls from Children

1. Children may act very clam when faced with a crisis; therefore, communications officers should not judge the severity of the call based on the child’s level of emotion.

a. Children may refer to someone who is

unconscious as being “asleep” or is “sleeping and won’t wake up.” This type of call should be treated as an unconscious patient.

b. Children are capable of answering questions and following instructions.

c. Communications Officers should be aware that they may have to ask one question or give one instruction at a time, repeat or re-phrase sentences to simplify them, and make sure they are actually answering or doing what you asked them to.

d. Children may be nervous that they called 911 or that help is taking too long to arrive. Reassure them that they did the right thing by calling 911 and that help is coming.

e. In non-English speaking families the child may be the most fluent in English and may be translating, verify if any adults are present.

C. Calls from the Elderly

1. Elderly callers may have to start at the beginning and if they are interrupted or asked questions about what is happening now, they may have to start at the beginning again.

2. Elderly callers may process information slower.

a. Communications Officers should ask one question at a time and wait for the response.

b. An elderly caller may have hesitated to call due to being unsure about how the 911 system works.

c. Reassure them that they did the right thing and that you are there to help.

d. Communications Officer should be aware that if the caller waited to call, then the situation may now be more serious.

e. Elderly callers may have difficulty hearing, so communications officers should slow their rate of speech, speak clearly and if there is someone else

present, speak with them.

35.2.19 HANDLING EMERGENCY HANG-UP CALLS

A. Hang-ups and Abandoned 911 Calls

1. 911 hang-up calls and abandoned 911 calls will be called back to verify if there is an emergency situation or unit response required.

2. If contact is made, determine the reference for the 911 call being called.

   a. If the call was accidental, the call will be disregarded

   b. If there is any doubt that the call was not accidental, or the caller sounds suspicious, the communications officer will enter a call for service so that an officer can verify the circumstances surrounding the call.

   c. If the caller advises that assistance is needed, follow the procedure based on the call type and priority.

   d. If there is no call-back, and the ANI/ALI information has provided an address, a call for service will be entered and a unit dispatched.

3. Any 911 hang-up received from a cell phone where an altercation, struggle or other type of emergency sounding situation was heard prior to being disconnected, will result in an immediate call-back.

   a. If there is no answer, the communications officer will start officers to the area estimated by the ANI/ALI and initiate a cell phone trace with the cell phone provider.

   b. If the estimated location is outside of Emporia's jurisdiction communications officers will notify the appropriate agency.

   c. 911 hang-ups received from an uninitialized (911-only) cell phone are unable to be called back or traced by a cell phone provider. If a 911 hang-up is received from one of these cell phones and an altercation, struggle, or other type of emergency

sounding situation is heard, the communications officer will start officers in the area of the ANI/ALI.

d. If the estimated location is outside of Emporia's jurisdiction communications officers will notify the appropriate agency.

4. If the 911 hang up or abandoned call comes from a Voice over Internet Protocol (VoIP). The communications officer can obtain the address of the (VoIP) customer from the internet provider.

a. The communications officer will dispatch an officer to the address provided to the communications center from the internet provider.

b. If the caller has taken their (VoIP) telephone to another location, the internet provider, nor the communications center will not be able to provide a location of the caller.

c. If an officer responds to the address provided by the internet provider and there is no one home at the residence, then the responding officer should further their investigations and speak with some neighbors to determine if the call could be at another location.

35.2.20 ALARMS

A. The EPD will respond to alarms in an organized fashion. A controlled response affords the greatest possibility for apprehension of offenders, while offering the greatest measure of safety for the responding officer and the employees or residents of a protected location.

B. No private alarms will be connected to the Communications Center. Alarms may be transmitted to the Communications Center by commercial alarm companies, by automatic dialing devices from homes or businesses, by citizens which have knowledge of an alarm and transmit this to the Department, or by officers who may discover them while on patrol.

C. The Communications Officer is responsible for obtaining sufficient information on reported alarm activations to ensure officer safety and proper classification of the event. Should the alarm company advise that they have confirmed with the protected premises that an actual criminal action has taken place, the dispatcher shall record the event as the actual event, rather than as an alarm. Alarms may be classified as:

1. Unknown Alarm.

2. Bank Burglary Alarm.

3. Bank Robbery Alarm.

4. Commercial Burglary Alarm.

5. Commercial Robbery Alarm.

6. Residential Burglary Alarm.

7. Residential Panic Alarm.

8. Phone Monitor Alarm.

9. School Alarm.

10. Vehicle Alarm.

D. Burglary Alarm - Upon receipt of a burglary alarm the communication officer shall record all available information, dispatch at least two officers, and attempt to make contact with the location via the telephone.

E. Bank Robbery Alarm - Upon receipt of a bank robbery alarm the dispatcher shall record all available information. Communications personnel shall immediately attempt to make telephone contact with the protected location for the purpose of determining the actual situations. The communications officer shall dispatch at least two officers and notify the on-duty supervisor of the call. Officers shall set up a perimeter outside the bank. By telephone, the communications officer shall instruct a bank employee to meet the officer outside. Officers shall only enter the bank if it has been established that the suspects have fled the scene or that it is an accidental alarm.

F. Commercial Robbery Alarm - This shall be handled the same as a bank robbery alarm.

G. Residential Panic Alarm - This shall be handled the same as a bank robbery alarm.

H. General Officer Response to Alarms

1. Utilization of emergency equipment during response will be in compliance with General Order 22.2.1, *Response Procedures/Use of Emergency Equipment*.

2. The first officer to arrive at the scene of an alarm will approach the protected premises carefully, being observant for lookouts and getaway vehicles, and will take a position to cover the entrance without being seen from inside, unless it has been established that the suspects have left. If it has been determined that the suspects have left, the officer will enter and obtain information for a radio lookout.

3. The first back-up officer to arrive at the scene will take a position to cover the second most likely exit. Unless the suspects are known to have left, the backup officers will attempt to position themselves to avoid being seen from within the protected premises. Back-up officers will advise communications as soon as they are in position.

4. In cases of a verified robbery alarm, all other patrol officers will proceed as follows until given other assignments or instructed to resume normal patrol activity. Patrol units not dispatched to, but near the scene of the alarm, will begin moving toward positions from which to observe possible escape routes or areas where robbery suspects might switch vehicles. Upon confirmation of a robbery, patrol officers not otherwise engaged in cases warranting their immediate attention will proceed to the closest point which will afford the opportunity to observe an escape route or effect interception of fleeing suspects.

I. Detective Response to Robberies - Once a robbery is confirmed, all available detectives will proceed toward the victim location unless engaged in other emergency work or directed to disregard. Responding detectives will utilize possible escape routes and be alert to suspicious activity. Any detectives near the residence of known robbery suspects will proceed to that address and then to the robbery location by a route most likely to be used by that subject.

J. Review of Alarms – The Major shall be responsible for monitoring and documenting incidents of consistently malfunctioning alarm systems. If the Major determines that a possible abuse of police services has occurred due to a malfunctioning alarm, the Major shall contact the owner of the protected premises, as well as the alarm company, in order to conduct a review of the system's effectiveness. Officers are encouraged, to bring to the attention of their supervisor any alarm activation that has a history of frequent activations which are the result of malfunctions.

35.2.21 ALTERNATIVE COMMUNICATIONS

A. NextGen-911: Text to 911

1. It is the policy of the Emporia Police Department to provide a level of service consistent with current and future technological advances.

2. This procedure is to establish guidelines for employees of the Communication Center to properly process, handle and disseminate digital information to include the NextGen-911 text to 911 system. The procedure and process should be followed:

a. Processing and Handling Digital Information

(1) Answering a Call

(a) Your Text Que Name;

(b) Click the Text Call Appearance;

(c) From the Text Calls Window, double-click, or select a call and click pickup;

(d) The Call appears in the Text Conversation Window.

(2) Texting with a Caller

(a) The police department may create and utilize a pre-scripted message, select the most appropriate tab and double-click the message.

(b) To Create a Custom Message, Type in the Text Window and Click Send.

(3) Ending a Text Conversation

(a) The Communications Officer will not release a call until either Police, Fire or Rescue have arrived on the scene.

(b) A text call is automatically released after five (5) minutes of inactivity.

(c) In the Test Conversations Window, Click Release.

(d) To Keep the Text Call Active, Send a Text Message to the Caller.

(4) Transferring a Text Conversation

(a) Internal Transfer

i. Click the Text Call Transfers Button from the Dial Directory while on a Text Call and then click the queue or agency to which you need to transfer the call.

(b) Outside Agency Transfer

i. Outside agencies can be programmed in a tab under Quick Messages using the path provided by the Text Call Center (TCC).

ii. Find the Appropriate agency name and to initiate a transfer double-click on the agency name

iv. Contact the transferring agency to confirm that the text transfer was received.

(5) Transferring an Active Text Call

(a) Click Dial Directory

(b) Click Text Call Transfers

(c) Perform one of the following actions:

i. To Transfer the Text Conversation to another Communications Officer in the Communications Center, Click

the Name of the Queue for your call center

ii. To Transfer the Text Conversation to another agency, click the queue for the appropriate agency.

iii. Contact the other agency to confirm that the text transfer was received

(6) Retrieving Abandoned Text Calls

(a) A text call has been abandoned if it has not been picked up after five (5) minutes. The text call appearance shows the call as abandoned.

(b) The text call window shows the abandoned status of a text call before it is picked up.

(c) The text conversations window shows the abandoned status of a text call after it is picked up.

(d) Click the Text call appearance or double-click the text call in the text call window.

(e) If the text call is abandoned the Communications Officer may place a voice call from the recent calls or you can utilize the department's cell phone to send a text message.

(f) Follow the department procedure addressing abandoned 911 calls.

(7) Calling Back a Text Call

(a) From the Recent Calls list, select the text call that you want to call back

(b) The click, dial.

3. Receiving and Disseminating Text and Other Digital Information

   a. Emporia Police Department Communications Officers and Supervisors are authorized to receive text and digital information.

   b. Communications Officers and Supervisors will follow the same protocol they do for voice calls, gathering the same information, and providing the same pre-arrival and/or post-dispatch instructions to police, fire and rescue.

   c. Procedures for Storage and Security of Data

      (1) Text messages are currently securely stored indefinitely in the Emergency Call Tracking System, “ECaTS. ECaTS collects, analyzes and reports on the raw call detail records.

      (2) The content of all text messages to/from the E-911 Communications Center are considered a public record and will be disseminated in accordance with the Virginia Freedom of Information Act.

   d. Retention of Text Messages

      (1) The Police Department will follow the Library of Virginia records retention schedule for short message/text messages just the same as any other 911 call received by the Police Department.

4. Initial Training

   a. There shall be initial training for communications officers and other appropriate members of the Emporia Police Department in the use of NextGen-911, text to 911.

   b. Newly hired Communications Officers will receive training for NextGen-911, text to 911 during On-the-Job Training prior to being released to solo dispatching.

5. Public Education

a. Upon the implementation of new and emerging technology that affects the community's access to public safety services, the Emporia Police Department will provide education to the community on any possible limitations the new technology may introduce, such as data coverage area, locations services availability, and application reliability.

b. The Public Education can be accomplished through any of the following:

(1) Posting on the Department and City's Social Media Sites;

(2) Preparing a Press Release to the local newspaper;

(3) Presentations to local businesses, neighborhood groups and civic organizations.

35.2.22 RESOURCE AND PROCEDURE MANUALS

A. The Administrative Services Manager shall be responsible for ensuring the communications center is equipped with all manuals and equipment mentioned in this general order. All department personnel shall furnish necessary documentation (i.e. call out lists, roster, etc.) to the communications supervisor in a timely manner or upon request.

B. Communications Procedure Manual

1. A communications procedure manual shall be kept inside the communications center and accessible to all communication center personnel. Communication personnel shall be thoroughly familiar with all procedures and plans. Any change in procedure or plan should be distributed to all communication center personnel as well as being updated in the manual.

2. The communication procedure manual shall consist of the following and be accessible to all communications personnel through their assigned computer terminals.

a. A current roster of all department personnel which includes each member's residential telephone

number and any department or personal cell phone numbers.

b. A call-out list for the following;

(1) Detective On-Call List;

(2) Administration.

(3) Telephone numbers for obtaining emergency and other necessary external services will be kept and maintained in a separate book but in close proximity to the procedure manual.

C. Maps

1. Communications Officers will have access to a map of the City of Emporia which is located on their CAD computer.

35.2.23 COMMUNICATIONS CENTER EMERGENCY OPERATIONS PLAN

A. The Emergency Operations Plan (EOP) provides specific procedures to ensure the Communications Center and its personnel are prepared for disasters, declared states of emergency, systems failures, or any other hazard/critical incident. The EOP incorporates the functions of the Incident Command System (ICS) and outlines the procedures to be initiated by personnel. In addition, the plan describes emergencies originating from any type of natural or man-made disasters that could affect the City of Emporia. All Communications personnel have immediate access to the EOP, which is located in the Police Department General Orders Manual which is located in Power DMS.

B. The Chief of Police is responsible with the planning response to critical incidents for the Communications Center.

C. Communications Incident Command System

1. In order to maintain efficiency of operations, the Communications Center will implement the Incident Command System (ICS) for unusual event or critical incidents that can impact the Communications Center operations, staffing and resources.

2. Command Function

a. The Administrative Services Manager represents the command function for the Communications Center. This function is tasked with coordinating the Communications Center response to incidents requiring the activation of ICS.

b. Responsibilities:

(1) Coordinating with the Department command staff personnel in the activation of the Communications Center's ICS.

(2) Assessing the event, along with Department command staff, in determining the need for additional Communications personnel. Directing Communications Center personnel in the notification and mobilization of additional Center personnel.

(3) Maintaining communication with all sections of the police department, fire department personnel, rescue squad personnel and other city departments and coordinating with other entities to acquire support.

(4) Providing communications personnel with public information and/or press releases received from the Department's PIO that are publicly available to maintain media relations during the critical incident.

(5) Ensuring the safety of Communications personnel by requiring periodic status/welfare checks from responsible personnel.

(6) The Incident Commander is responsible for preparing an after action report to summarize the event details. Identification of any problems or achievements and any plan of action to implement improvement for future events. This report will be prepared collectively with the input received from Communications personnel.

3. Operations Function

a. The operations function of the Communication Center shall include the Communications Supervisor.

b. Responsibilities:

(1) Executing the incident action plans and making the required notifications.

(2) Assessing and quantifying of staffing in comparison to the event criticality and forwarding the information to the planning function.

(3) Determining equipment functionality and safety of the Communications Center and/or other working environment.

(4) Conducting an emergency notification or acquiring approval from the Administrative Services Manager in situations requiring an evacuation and coordinating the evacuation efforts.

(5) Evaluating risk and impact of assessment on operations of the Communication Center

(6) Ensuring the safety of all personnel as well as the physical security of the Communications Center and updating the command function of any changes or updates.

(7) Continuity of Communications Operations System

(a) To ensure the continuity of communications operations during a critical incident the Greensville County Sheriff's Office will serve as the Police Department's back-up Communications Center.

(b) If the radios, telephone or Computer-Aided Dispatch fail or the Communications Center is non-functional then the Chief of Police shall

receive approval from the Greensville County Sheriff to move City Communications to the Greensville County Sheriff's Office to maintain a continuity of communications operations.

(c) If the Greensville County Sheriff's Office facility is not available to ensure continuity of communications operations, then the Emporia Police Department Communications Center will take the portable phone and radio system and set up operations within the Municipal Building or another location within the city limits.

4. Planning Function

a. The planning function shall be the responsibility of a Communications Officer assigned by the Incident Commander.

b. Responsibilities:

(1) Preparing, reviewing and providing final approval of any Communications incident plan.

(2) Acting as the external and internal contact for the Communications Center, the assigned Communications Officer will have access to various resources and intelligence mediums. These resources will be used to collect and analyze information to formulate or modify the incident action plan accordingly. Situational updates will be disseminated to Communications personnel as applicable.

(3) Emergent issues involving risk, liability and operations will be brought to the attention of the Administrative Services Manager. The Communications Officer assigned to the planning function will require periodic updates to assess short and long term effects on Communications Center operations.

(4) Based on the After Action Reports, the Chief of Police may review and modify the EOP accordingly. The Chief of Police will cooperatively review the Communications Emergency Operations Plan (EOP) with the Administrative Services Manager and the Communications Supervisor.

(5) In the event the Communications Center requires the use of additional personnel, resources or backup facilities, the Administrative Services Manager will periodically assess the event until methods for de-escalation and recovery can be implemented.

(6) Upon de-escalation, the Administrative Services Manager will work to reduce personnel and work with the Communications Supervisor to resume normal operations of the Communication Center.

5. Logistics Function

a. The logistics function shall be the responsibility of the Administrative Assistant to the Chief of Police assigned by the Incident Commander.

b. Responsibilities:

(1) Ensuring operational capability of communications equipment, including but not limited to:

(a) portable radios;

(b) batteries;

(c) radio consoles;

(d) interoperability equipment;

(e) phones.

(2) Coordinating the transportation of Communications Personnel to backup facilities.

(3) Ensuring that first aid kits and medical supplies are on-site and ready for use.

(4) Procuring, organizing and distributing necessary supplies such as food, water, equipment, flashlights, batteries and any other necessary supplies.

6. Finance/Administration Function

a. The Finance/Administration function will include the Administrative Assistant. All injuries and liability issues involving Communications personnel will be reported to and documented by this function.

b. Responsibilities:

(1) Recording personnel time by logging employee's hours and completing payroll entries and documenting any other expenses related to the critical incident.

(2) Coordinating with the logistics function to procure and purchase equipment, perishables or other required resources to sustain operations during extended incidents.

(3) Documenting expenditures on resource request forms

7. After-Action Reports

a. The Incident Commander is responsible for completing a written after action report for critical incidents for events when the Emergency Operations Plan has been activated. The After-Action report will include, at a minimum:

(1) The nature or circumstances causing the plan to be activated;

(2) Specific components or resources within the plan which were utilized;

(3) The impact of command and supervisory actions;

(4) Area where future operational or administrative improvements should be considered

8. Annual Review of the Emergency Operations Plan

a. Annually, the Chief of Police will conduct a review of the Emergency Operations Plan. This review will be conducted collaboratively with the Command Staff and the Communications Supervisors. To assist personnel with the review of the EOP, the agency will review and analyze any after action reports that have been completed during the prior year.

9. Training

a. Annual Training

(1) On an annual basis the employees of Emporia Police Department's Emergency Communications Center will receive documented training on the agency's all-hazard plan and the communications center emergency operations plan, to include the Incident Command System for all police department personnel.

b. Biennial Training:

(1) The Emporia Police Department will conduct tabletop or practical exercises if resources are available on a biennial basis on the Department's All-Hazard Plan to include the Incident Command System. This biennial training will include members of the E-911 Communication Center. If a practical exercise is conducted it would be in conjunction with other agencies in the community, or in-house only to prepare for an actual up-coming event.

35.2 COMMUNICATIONS OPERATIONS

35.2.1 24-HOUR DISPATCH OPERATIONS

A. The department conducts continuous dispatch operations 24-hours a day, seven days a week, utilizing radio, emergency and non-emergency telephone and data communications systems. The department provides continuous 24-hour two-way radio communications capability for city departments;

1. 911 Emergency Telephone Service

a. The department provides a 24-hour, toll free 911 telephone service for access to all emergency services provided by the City of Emporia. The 911 service shall serve as the single emergency telephone number to the communications center.

(1) Police;

(2) Fire;

(3) Rescue;

(4) Other City Departments.

B. Receiving and Answering Emergency Telephone Calls.

1. When a 9-1-1 emergency phone call is received at the Communications Center, the Communications Officer will answer with – 9-1-1, Dispatcher _____, What is your emergency?

C. Receiving and Answering Non-Emergency Telephone Calls.

1. When a non-emergency phone call is received at the Communications Center, the Communications Officer will answer with – Emporia Police, Dispatcher _____, How may I help you?

D. Dispatch handling of in-coming emergency and non-emergency phone calls with multiple dispatchers.

1. If there are two dispatchers working and a phone call is received:

a. The call should be answered as soon as possible and whichever dispatcher who answers the phone call is the primary call-taker for that call.

b. The second dispatcher immediately joins in on the call and monitors the call.

c. The primary dispatcher taking the call should obtain location, caller's name, call back number, and nature of complaint and enter the call for dispatch and hit "finished" to dispatch the call.

d. The primary dispatcher on the call will continue the call-taking procedure by asking questions and obtaining additional information.

e. The dispatcher will keep the caller on the line until responding unit (police, fire or ems) arrives on scene.

f. The secondary dispatcher, who is monitoring the call, immediately dispatches the call and monitors radio traffic and other phone lines.

g. The primary dispatcher on the call should enter pertinent information as it is received. The information must be entered as soon as it is received, and comments cannot be held. The secondary dispatcher immediately disseminates the information to fire responders.

h. If the Communications Supervisor is working, the Communications Supervisor will handle additional calls if both dispatchers are handling an emergency call.

i. Dispatchers will need to work as a team when handling calls.

E. Obtaining Complaint Information

1. Because a unit's response to a complaint is based upon the information from the communications officer, it is important to obtain this information from the caller quickly and accurately. In many situation, especially those that involve emergencies, the caller may not understand why they are being asked so many questions.

2. The Communications Officer must be able to communicate the need for information and take charge of the conversation

3. The following will assist the Communications Officer in judging the characteristics of a call to determine whether an emergency or non-emergency response is required.

    a. The Five “W’s”: Where, What, When, Who, Weapons.

        (1) WHERE is the help needed? If you can get one piece of information, make sure that is “where.” If the location is only piece of information obtained prior to being disconnected, units can still be dispatched. Callers do not always know where they are. Incident locations can be determined by street address, business or building name, cross streets, complex name and landmarks. Communications Officers will attempt to verify all incident locations with the caller. If the incident occurred outside of Emporia, the caller should be transferred to the proper agency.

        (2) WHAT is happening? Obtain the nature of the incident by having the caller briefly describe what is happening or happened. Determine whether the call is an emergency or non-emergency, obtain the necessary information from the caller and reference it correctly. The caller’s perception may differ from your own. For example, a caller may state that they have been robbed, when in reality it was a break-in or a theft.

        (3) WHEN did the event occur? Is it in progress? If not, how long ago did it occur? If a caller states that it just happen obtain a specific time frame.

        (4) WHO is the complainant or suspect? Is the complainant a victim, witness or participant in the incident? Get the caller’s name, address and phone number whenever possible. Ask questions in order of priority in case the caller disconnects. Obtain descriptive information

on any suspects, including name, address, physical and clothing description, vehicle description and current location or direction of travel.

(5) WEAPONS, if applicable. Are any weapons being used, threatened or available and where are the weapons. Obtain a description of the type of weapon. Units should always be advised of weapons when responding to a dangerous or potentially dangerous situation.

b. Descriptions

(1) When obtaining a description of a suspect or vehicle ask simple and direct questions: What color shirt was she wearing? Did he have any facial hair? Approximately how tall is he? Avoid open-ended questions, such as What did they look like?

(2) Person/Physical

i. Name
ii. Race
iii. Sex
iv. Age or DOB
v. Height
vi. Weight/Build
vii. Hair Color/Style
viii. Eye Color
ix. Physical Identifiers (scars, marks, tattoos, body piercing, physical disabilities.)

(3) Clothing:

i. Shirt Color/Style
ii. Pants of Shorts Color/Style
iii. Skirt or Dress Color/Style
iv. Clothing Identifiers (hat, purse, bag, glasses)

(4) Vehicle--An easy way to remember all parts of a good vehicle description is to remember the word “CYMBALS.” “CYMBALS” allows you to obtain the easiest and most obvious information first, beginning with the basic

vehicle and gradually getting more specific; however, in some cases it may be more important to get the tag number first while the complainant still has a visual on the vehicle

i. C= Color
ii. Y= Year
iii. M= Make/Model
iv. B= Body Style (2 door, convertible, hatchback)
v. A= Anyone inside of the vehicle
vi. L= License Plate/Tag Number
vii. S= State of License Plate or VIN

(5) Direction of Travel

i. When a person or vehicle pertinent to an incident leaves the scene, obtain a direction of travel. If the caller is uncertain about directions, try using landmarks:

- North (toward Jarratt)
- East (towards Southampton)
- South (towards Skippers
- West (towards Brunswick)

ii. In these situations, it is very important to be familiar with the city and surrounding areas. You can also try using a road (Purdy Road, Brink Road, Brunswick Ave.) or a city landmark (at the High School, at Veteran's Park.

4. Dispatching Officers to 911 Calls

a. A call for service should be generated for every 911 emergency call received by this agency for a location within the City of Emporia. An officer sent to investigate all 911 emergency calls emanating from a fixed telephone landline where a location can be determined through the 911 system except when all of the following conditions have been met;

b. There is a high call volume and the call has been pending for more than thirty minutes due to a lack of available officers;

c. The communications officer has been able to contact the location and speak with a person who;

(1) Sounds rational and competent; and

(2) States to be an adult over the age of eighteen.

d. States that the reason for the 911 call was one of the following;

(1) The number was dialed by mistake;

(2) A child was playing with the phone.

F. Non-Emergency Telephone Service

1. The Department's non-emergency telephone number to the Communications Center is 434-634-7320.

2. The Department's administrative telephone number is 434-634-2121.

3. The Department provides a telephone device for the deaf (TDD).

G. Non-English Speaking Callers

1. The Communications Center will utilize Language Line Solutions when the caller is unable to communicate using English. Language Line Solutions provides 24/7 interpreter services in over 240 languages. The procedure will be as follows:

a. Once the communications officer determines that an interpreter is needed, you will keep the caller on the line and transfer to **(800) 5231786.**

b. You will be prompted to enter your six (6) digit PIN/ID **942076.**

c. Then clearly state the name of the language you need (for example, Spanish).

d. The interpreter will come on the line and ask, "Is the other person on the line or do I need to call them for you?"

e. At that point, advise the interpreter that you have the person on the line, and you can connect them.

f. Once you connect them, you will be on a 3-way call and you will hear the conversation and the interpreter will relay what is being communicated.

g. Once the call is complete, you can thank them and disconnect the line.

h. It is important to make sure that the line in disconnected once your call is complete, the department is billed by the minute for this service.

35.2.2 TTY/TDD TELEPHONE CALLS

A. POLICY

1. The Emporia Police Department is committed to providing emergency and non-emergency communications to the hearing and speech impaired using the TTY (Teletypewriter). TTY is also known as TDD (Telecommunications Device for the Deaf) and it provides hearing-impaired and speech-impaired individuals with the ability to communicate over the telephone system.

B. PROCEDURE

1. Handling a TTY/TDD Call

a. Use the TTY/TDD panel to communicate with speech or hearing-impaired caller who contact the agency using a TTY/TDD device.

b. Phone consoles are configured to detect when a caller is using a TTY/TDD device and will automatically launch the TTY/TDD window.

c. If the console does not automatically detect a TTY/TDD call, the dispatcher should listen to the line to determine if the TTY/TDD screen needs to be opened to communicate with the caller. The TTY/TDD call can be identified by beeping tones or by a recorded message.

d. The TTY/TDD screen has a list of generic questions and statements that can be used to speed up communication.

e. The TTY/TDD Window provides the following information:

(1) Conversation pane—Messages are exchanged between the caller and console user. All entered text displays in the pane. Upper case type shows the

TTY/TDD caller text; lower case type shows the console user's text.

(2) Characters Pending—Number of characters in the TTY/TDD message

(3) Message text box—Point of entry for manually entering TTY/TDD messages

(4) Detect TTY/TDD button—if the automatic TTY/TDD detection does not recognize the TTY/TDD call, a TTY/TDD session can be started using this button

(5) Voice button—Changes the call to a regular voice call

(6) Mode menu button—Lists TTY/TDD modes:

(a) Baudot (HCO) - Hearing Carry Over
Caller can hear but is speech impaired

(b) Baudot (VCO) - Voice Carry Over
Caller cannot hear but can speak

(c) ASCII Answer-Puts conversation in TTY/TDD mode. Console user can answer TTY/TDD calls

(d) ASCII Originate—Console user can initiate TTY/TDD call

(7) Session Control button—Console user can transfer control of a TTY/TDD call to another console user in conference and request control of a TTY/TDD call:

(a) Relinquish Session Control

(b) Request Session Control

(8) Print Button—Prints the TTY/TDD messages currently displayed in the TTY/TDD window

(9) Clear Button—Removes all TTY/TDD messages in the window

(10) Status Area—Displays Mode and Session Owner

(11) Send Button—Sends any typed messages from the Message box or selected pre-programmed message

(12) Pre-Programmed messages—frequently used TTY/TDD messages

(13) Pre-Programmed message categories—Buttons open the window to show categories of pre-programmed messages. (Police, Fire, Medical)

2. Answering a TTY/TDD Call

a. TTY/TDD Call can be received on the console as an incoming call, transferred call, and a conference call. The console is configured to detect a TTY/TDD call and launch the TTY/TDD window automatically as soon as the TTY/TDD call in answered.

b. If a call in answered and there is silence, beeping tones, or a recorded message the caller may be calling from a TTY/TDD device. The dispatcher should open the TTY/TDD window. Click TTY/TDD Button. Click Detect TTY /TDD

c. If no device is detected, follow agency procedure for silent calls.

3. Answering an ASCII TTY/TDD Call

a. Click TTY/TDD

b. In the TTY/TDD window, click Mode

c. Hearing Carry Over Mode (HCO)-allows speech-impaired caller to hear the dispatcher while the caller types messages

d. Voice Carry Over Mode (VCO)-allows hearing-impaired caller to talk to the dispatcher while the caller types messages.

4. Click ASCII Answer to begin the TTY/TDD session

a. When you connect to the TTY/TDD Call:

(1) You can send messages on the TTY/TDD window by either typing messages in the text box or by sending pre-programmed messages. Pre-programmed messages are categorized by type of emergency.

(2) As messages are typed, the characters appear in the conversation pane of the TTY/TDD window and the caller's TTY/TDD display at the same time.

(3) The TTY/TDD Window provides access to pre-programmed TTY/TDD language and abbreviations.

5. Conferencing and Transferring TTY/TDD Calls

a. A TTY/TDD call can be transferred in the same manner as other calls. Conference calls are also created in the same manner as other calls.

b. When a TTY/TDD call is transferred or conferenced, information of the caller displays in the Personal Call Appearance of the other console user. The messages of the conversation are transferred to the Conversation Pane of the TTY/TDD window of the transfer or conferenced party.

6 Placing TTY/TDD Outgoing Calls

a. The dispatcher can place an outgoing call by using the following features:

(1) Recent Calls window

(2) A contact in the Dial Directory

(3) A contact in the Contact Search window

(4) Dial a number from the Dial Pad or the Dial Directory

7. To Disconnect from the Caller:

a. When the conversation is over, click the Release button to release the line.

8. Clearing Calls from the TTY/TDD Window

a. A TTY/TDD call remains in the TTY/TDD window after the calls ends. The released call can be removed manually.

b. From the TTY/TDD window, click the Clear button

9. Printing TTY/TDD Calls

a. A conversation of a released or connected call must display in the TTY/TDD window.

b. From the TTY/TDD window, click the Print button

10. TTY/TDD Language and Abbreviations:

ASAP	As soon as possible, Urgent
CD Or CLD	Could
GA	Go ahead –your turn to transmit
GA to SK	Anything Else? Can I Hang Up?
H	Hold
HCO	Hearing carry over
HLD	Hold
MSG	Message
NBR or NU	Number
PLS	Please
QQ or Q or QM	Question Mark
R	Are
SHD	Should
SK	Stop Keying
SKSK	Goodbye. I am hanging up
TMW	Tomorrow
TTY	Teletypewriter
U	You
UR	Your
VCO	Voice Carry Over
XXX	Error, Erase

11. Training

a. All Communications Officers will receive initial training on the TTY/TDD system during their on-the-job training and will be documented in the training folder.

b. All Communications Officers will receive re-training on the TTY/TDD system every six months and will be documented in the training folder.

12. Testing

a. On a monthly basis the assigned Communications Officer will conduct testing on the TTY/TDD system and will document the testing in a CAD Event. Upon completion of the testing the communications officer will send an e-mail to the Communications Supervisor and Support Division Commander advising completion of the testing for the TTY/TDD system.

35.2.3 TWO-WAY COMMUNICATIONS

A. The Emporia Police Department's Communication Center radio system provides multi-channel, two-way radio transmissions between the Communications Center and public safety organizations to include law enforcement, fire and rescue; as well as other non-emergency city departments such as public works.

1. The police radio and CAD messaging system is encrypted to protect sensitive communications which can enhance the safety and success of first responders by reducing the opportunity for persons to take advantage of emergency transmissions.

B. Every police and animal control vehicle is equipped with a radio to provide two-way communications with the communications center.

C. All on-duty law enforcement and animal control officers shall be equipped with portable radios to ensure they have continuous two-way communications capabilities with the communications center for the purposes of exchanging information, receiving orders and assignments, requesting assistance and responding to calls for service.

D. Officers are required to ensure the operational status of their assigned radio.

35.2.4 CALLS FOR SERVICE INFORMATION

A. Communications officers that receive a call for service will obtain as much information as possible. The amount of information necessary will depend on the nature of the call. Employees shall gather sufficient information in consideration of officer safety and anticipating conditions to be encountered at the scene.

B. In cases of a crime in progress, a crime that just occurred, or in any case where the caller may be able to provide additional information, the caller shall be held on the telephone while an officer is dispatched. The communications officer shall continue to relay additional information to responding officers. If a call for service cannot immediately be assigned to an officer, the communications officer shall immediately notify the supervisor. When information is received in the Communications Center that warrants dispatching an officer on an auto theft investigation, the communications officer will broadcast a lookout for the stolen vehicle. The communications officer shall make broadcast updates as soon as additional information is received.

C. Every call for a police service is automatically assigned a CAD event number, this number will the year followed by a dash and

then sequential numbers for the entire year (2020-999,999). A call for service may be a request from a citizen by telephone, in person, by letter, text, or from a self-initiated report by an officer. The following information shall be recorded when a call for police service is requested:

1. Control/CAD/Case Number

2. Date and time of request.

3. Name, address and phone number of complainant.

4. Nature or type of incident.

5. Location of incident reported.

6. Identification of Primary and Back-Up Officer

7. Time an officer is dispatched.

8. Time the officer arrives on the scene.

9. Time the officer returns to service.

10. Disposition and status of the reported incident.

D. Every reportable call will be assigned a case number, which is different from the CAD event number. The case number begins with the current year, followed by a dash, followed by the month, followed by a dash followed by the number. The number is consecutive, beginning with 001 until the end of the month (20-04-0100).

E. When an officer is dispatched or responds to assist a primary officer on a call, the dispatcher shall record that a back-up officer is responding. The call number will be the same number that the primary officer is assigned.

F. Back-up officers will be dispatched to calls for service whenever additional officers are required for the following reasons:

1. To ensure the safety of the primary officer;

2. To adequately and effectively handle multiple tasks required at the scene of an incident;

3. To control escalating situations;

4. To assist with the apprehension of suspects;

5. When the primary officer requests back-up.

G. The primary officer may cancel back-up after a careful appraisal of the scene and situation.

H. When back-up is required or requested, the officer closest to the location of the call shall acknowledge and respond if able to do so. Another officer may acknowledge a closer location at which time the original back-up shall be canceled.

I. Supervisors may alter these guidelines and assign back-up officers as situations dictate or at their discretion.

35.2.5 PROCEDURE FOR ASSIGNING OFFICERS TO CALLS

A. It is important to the effective and efficient operation of the department to have an established procedure for assigning personnel to calls for service. Officers, and animal control officers when appropriate, shall be assigned to a call for service based upon the location and the seriousness of the call.

B. Beat Structure

1. Officers are assigned patrol beats in accordance with general order 22.1.1. Whenever possible, officers shall be assigned to those calls occurring within their patrol beat. Officers may take a call from another officer whenever;

a. The officer may be within closer proximity to the location of the call for service;

C. Severity

1. Routine calls for service shall have one officer dispatched to them. The communications center shall, whenever possible, assign a minimum of two officers to any call for service that involves any of the following;

a. An assault or attempted assault of an officer;

b. Domestic violence;

c. Felony traffic stops;

d. When there is an alert for the location of the call indicating two officers are to be dispatched;

e. Any situation likely to result in a custodial arrest, to include;

(1) Warrants;

(2) Calls involving the use of weapons;

(3) Mentally disturbed individuals;

(4) Open doors or windows at businesses or residence;

(5) Situations where the alleged suspect is still at or about to leave the location.

(6) Alarms

(7) Crimes in progress;

(8) Fleeing suspects.

f. When sufficient information cannot be obtained to determine the severity of the call; and

g. Any other situation which, in the opinion of a supervisor, require a multiple officer response or when the original responding officer feels the situation warrants another officer (back-up).

D. Assignment of Supervisors to Calls

1. A supervisor shall be either dispatched to a call or called to the scene of a call by an on-scene officer when an incident of a serious nature occurs for the purposes of assuming command of the scene and control of the situation.

2. An on-duty supervisor shall be notified and will proceed to take command of the following types of incidents;

a. Injury to a police officer or animal control officer;

b. Traffic collisions involving a department vehicle;

c. Vehicle and/or foot pursuits;

d. Major crimes to include;

(1) Felony property crimes, except auto theft (i.e. Burglary).

(2) Felony crimes against persons (i.e. Assault involving serious injury and/or death, robbery, etc.)

(3) Any situation involving the discharge of a firearm or the display of a deadly weapon.

e. Barricade / Hostage situations;

f. Natural / Manmade disasters (i.e. hazardous materials incidents)

g. Any incident involving death or a possibility of death;

h. Incidents involving an allegation against either an on-duty or off-duty member of this department;

i. Large scale disruptions of public order (i.e. riots);

j. Any incident involving an officer using physical force;

k. Escaped prisoners;

l. Any act of terrorism or threatened act of terrorism (i.e. Bomb threats);

m. Any situation where any of the following persons are either arrested or suspected of committing a crime;

(1) An employee of the City of Emporia;

(2) A police officer or other law enforcement officer; or

(3) An elected or appointed official from a neighboring government entity.

n. Any other incidents as requested by citizens, subordinates and/or supervisors.

E. Incident commanders must be logged for any of the following;

1. Any situation involving the discharge of a firearm;

2. Barricade / Hostage situations;

3. Natural / Manmade disasters (i.e. Hazardous materials incidents);

4. Large scale disruptions of public order (i.e. riots);

5. Escaped prisoners;

6. Any act of terrorism or threatened act of terrorism (i.e. Bomb threats).

35.2.6 PATROL RADIO PROCEDURES

A. Operations are more efficient and officer safety is enhanced when communications officers, supervisors and officers know the status and location of fellow officers, the nature of the incidents, and developments in their investigation. All officers shall communicate with a communications officer upon:

1. Arrival at the scene of an incident.

a. On the scene of any emergency, the first EPD unit responding to the scene will notify the communications center to call out Fire, Rescue, Public Works or Utilities, the Power Company or other agencies as needed.

2. Clearing the scene.

3. Making a vehicle or pedestrian stop.

4. Reporting a self-initiated incident.

5. Handling an assignment of administrative duty and leaving the vehicle.

B. Members of the Department will utilize the police radio system only for proper transmission of police related communications. Transmissions should be as professional, concise and complete as possible. At no time will members of the Department misuse or disrupt the radio systems with unauthorized transmissions.

C. Patrol officers are responsible for maintaining contact with the communications officer at all times during their tour of duty. Officers will respond promptly when called by the communications officer over the police radio system and will write down or otherwise record a message when dispatched to a call for service.

D. An alert tone is sounded by the communications officer prior to broadcasting an emergency call for service. When the alert tone has been sounded, officers and communications officers will limit broadcasts to emergency transmissions until the emergency call has been controlled.

E. When officers conduct activities other than calls for service, the communications officer will record those activities as administrative tasks. Included in these entries will be nature, location, disposition and time of the activities. These activities include:

1. Follow-up investigations.

2. Traffic stops.

3. Foot patrol and physical stops.

4. Warrant services.

5. Breaks.

6. Vehicle or equipment repairs.

7. Any situation where an officer may leave their vehicle.

F. Radio and CAD (Computer Aided Dispatch) Designators

1. The Radio Designator System shall be used by all Department personnel. The designators are designed to identify the individual officer. Personnel must adhere to their exact radio designators.

2. The CAD designator will be the permanent Employee Identification Number assigned to the employee and will be used to identify the employee in the computer.

35.2.7 INTEROPERABLE RADIO COMMUNICATIONS PLAN

A. The Emporia Police Department Emergency 911 Communications Center maintains multiple radio communications systems to provide, the extent possible, seamless communication among area public safety and public service agencies that may operate on dissimilar radio systems.

B. Interoperable radio communication systems and equipment include:

1. A radio system that includes a variety of talk groups designated for, but not limited to:

    a. Primary dispatching;

    b. Inquiries and requests;

    c. Tactical operations;

    d. Vehicle-to-Vehicle Communications;

    e. Direct Communication among Public Safety Answering Points;

    f. Local interoperability by every public safety and public service agency in the City of Emporia and Greensville County.

2. Mobile and Portable radios that are equipped with primary dispatch channels of other agencies.

C. Listing of All Frequencies Used By All Public Safety Agencies in the Area.

1. Emporia Police Department-155.8050/153.9725;

2. Greensville County Sheriff's Office-151.025/153.995;

3. SIRS-39.54;

4. Greensville County Fire Department-154.340/153.830;

5. Greensville County Rescue Squad-151.3325/156.2175;

6. Lifestar Ambulance Service-151.0025/155.340;

7. VTAC (EOC)-155.7525;

8. Halifax, NC Communications Center-155.250/155.970;

9. City of Emporia Public Works Department-155.955;

10. City of Emporia Public Utilities Department-460.300/465.300;

11. Emporia Police Department TAC-39.86.

D. Identification of the Person/Organization Responsible for Monitoring the CALL Channels and Assigning Tactical Channels.

1. The Communications Supervisor and Communication Officers with the Emporia Police Department may assign an interoperability channel patch and announce the assignment to other agencies.

E. Other Available Means of Audible Communications

1. The Emporia Police Department Communications Center does not have other available means of audible communications that is related to interoperable radio systems.

F. Annual Documented Interoperable Equipment Testing

1. On an annual basis, the assigned Communications Officer will conduct a documented testing of the interoperable radio system. Upon completion of the annual test the Communications Officer will document results in a CAD event report and will address any deficiencies in the notes section of the CAD event report and bring to the attention of the Communications Supervisor and Support Division Commander.

35.2.8 PROCEDURE FOR RESPONDING TO EMERGENCY REQUESTS

A. An emergency request is any time an officer advises communications that they are involved in a situation whereby a suspect is engaging in

1. Fleeing from an officer;
2. Assaulting an officer;

3. Resisting arrest;

4. Threatening an officer (either while armed or unarmed).

B. In addition, emergency requests also include;

1. Activation of an officer's portable radio alert when it cannot be immediately confirmed that the activation was accidental;

2. Any other instance where an officer requests urgent or expedited backup.

3. Communications Officers should not hesitate in using this procedure whenever they are unsure about an officer's safety.

C. Procedure

1. Upon receiving an emergency request, communications officers shall;

a. Sound an alert tone over the radio;

b. Request that all other units to hold non-emergency radio traffic;

c. Notify all officers of the following;

(1) The officer requesting assistance;

(2) The requesting officer's location;

(3) The type of call the requesting officer is on; and;

(4) The reason for the request, if known.

d. The communications officer should attempt to locate the closest unit and confirm they are en- route to assist.

e. The communications officer shall then notify the on-duty supervisor;

f. The communications officer shall attempt to keep responding officers updated about the situation.

(1) Whenever possible, the radio log should be updated so that an accurate record of event times can be maintained.

35.2.9 HANDLING OF EMERGENCY AND NON-EMERGENCY CALLS

A. The Emporia Police Department's Communications Center serves as the Public Safety Answering Point for all communication within the City of Emporia during business and serves as an after-hours contact for the City when the Municipal Building is closed. This means that communications officers are often contacted about non-police related issues. Often times these are non-emergency issues; however, communications officers need to assess whether such a call is of an urgent (emergency) nature or non-emergency nature.

B. The CAD system is administratively set to determine if an event type is an emergency or non-emergency call for service. The CAD System will recommend the number of officers and supervisory response once a certain type of event code is entered by the Communications Officer.

C. Emergency/Priority Calls

1. Once a caller confirms that they have an emergency, the communications officer will determine if Police, Fire or Rescue response is necessary.

2. Communications Officers will enter the location, event type and other pertinent information and hit the FINISHED button to send the call to the officer assigned. The dispatcher will continuously update call notes to update the status of the complaint

3. Emergency or priority calls are those calls where the following is likely to occur if assistance is not immediately provided;

    a. Death or serious injury;

    b. Large scale property damage (i.e. loss of a house or other building);

    c. A large disruption of utility services;

4. Procedures:

    a. In the event of an emergency or priority call for services the communications officer shall;

        (1) Advise the person calling that an officer will be en-route (if available) and that the communications officers will be contacting the appropriate agency to assist;

        (2) If the person calling is in a location where they may be in danger then the dispatcher shall request they move to another location (i.e. leave the building);

        (3) Dispatch an officer, if available;

        (4) Dispatch any other emergency services that may be required (i.e. fire department, rescue squad, etc.);

        (5) Contact an outside service able to assist in the matter (i.e. water department, public

works, public utilities, the power company, etc.);

(6) The Communications Center will have telephone numbers for all internal and external sources that can assist police, fire and rescue.

5. Special Response Calls

a. The Communications Center will advise either Fire, Rescue or Police if a special response will be required. The appropriate agency supervisor will determine their agency's response to the type of call.

D. Non-Emergency Calls

1. Communications Officers will enter the location, event type, complainant information and remarks into CAD, then hit finished. Any updates or changes in complainant information may be added to the CAD event report.

2. Communications officer should finish a call into CAD within one minute of receiving the call whenever possible. All calls should be accepted into CAD within three minutes of receiving the call for service.

E. Referral of Outside Services

1. In the event of a call for outside services the communications officer will;

a. Advise the person calling either;

(1) That the communications officer will be contacting the outside service; or

(2) How the caller can contact the outside service.

(3) The communications officer should contact any on-call city personnel available to handle the situation.

(4) In the event there is no on-call person then the caller should be informed how to contact the appropriate department during normal business hours.

(5) The Communications Officer will give the caller instructions to assist the caller prior to the arrival of the first responders or completion of the call.

F. Administrative Calls

1. If the Communications Center receives any phone calls for police department, animal control personnel or emergency services the communications officer will transfer the call to the extension or cell phone of the employee that the individual is asking for.

2. If an individual is asking to speak to someone outside of the Police Department headquarters, such as: Fire Department, Rescue Squad, Courthouse, County Sheriff's Office, City Sheriff, any other City Department or Public Utilities Service the Communications Officer will give the individual calling the appropriate phone number so they can make direct contact.

35.2.10 ACCESS TO RESOURCES

A. Immediate Access to Communications Center Resources:

1. The Emporia Police Department Communications Center has only one supervisor and when on-duty their status is displayed in the CAD system.

2. The Communications Center will ensure that the duty roster of all personnel will be posted in the Communications Center on the CAD screen.

3. The Communications Center will have telephone numbers for all police department employees that they have available at their residences, whether they are cell phones or land-lines.

4. Communications Center personnel have access to visual maps of the City of Emporia which is located on each CAD terminal in the Communications Center.

5. The Communications Center has the appropriate telephone numbers for procuring emergency and the necessary external services for police, fire or rescue.

6. The Communications Center has access to tactical dispatching plans associated with critical incidents in the Power DMS system as well as the CAD System.

7. The Communications Center's All-Hazard Plan is available to all communications personnel in the Power DMS system

B. Immediate Access to Client Agency Resources

1. The Communications Center will have the patrol, criminal investigations and special operations on-duty supervisor displayed on the CAD screen.

2. When the Fire Department and Rescue Squad are actively working a call, the officer-in-charge of fire and rescue will be displayed on the CAD screen

3. The Communications Center will ensure that the duty roster of personnel from patrol, special operations and criminal investigations will be posted in the Communications Center on the CAD screen.

4. Call-Out Procedures

a. The Communications Center when notified by a patrol supervisor will contact and notify the on-call detective that they are needed at the scene of a crime.

b. The Communications Center at the direction of a police officer or supervisor will make contact with on-call public service or utility departments whose contact numbers are located within the CAD system.

5. Communications Center personnel have access to visual maps of the City of Emporia which is located on each CAD terminal in the Communications Center; while patrol officers have the visual map of the City of Emporia located within their mobile data terminal.

6. Public Safety Officer Status Indicators

a. Sworn police officers are required to mark on and off duty through either their mobile data terminals or verbally notifying the Communications Center.

b. Sworn police officers will notify the communications center of their status and location either through the

mobile data terminals or verbally marking out of service through the use of their radios.

7. The Communications Center has the appropriate telephone numbers for procuring emergency and the necessary external services for police, fire or rescue.

8. The Communications Center has access to tactical dispatching plans associated with critical incidents in the Power DMS system as well as the CAD System.

9. The Communications Center has access to the Police Departments All-Hazard Plan and the City's Emergency Operations Plan which is located in the Power DMS system

35.2.11 PROCEDURE FOR VICTIMS/WITNESS ASSISTANCE CALLS

A. This order pertains to the procedures communications officers are to follow when receiving a call in reference to a victim / witness seeking assistance. Communications Officers should be familiar with the responsibilities of the officers and supervisors as governed under general order 32.1 (Victim / Witness Assistance)

B. Communications personnel shall first determine whether an emergency or non-emergency situation exists. Emergency situations exist when there is an immediate threat to;

1. The person's physical safety;

2. The physical safety of the person's close relative; and/or

3. The person's residence or other property.

C. If an emergency situation exists then the communications officer shall dispatch an officer(s) to render assistance or shall contact the appropriate law enforcement agency if the person is not located within the City of Emporia.

D. In non-emergency situations where the person is located within the City of Emporia, the communications officer shall enter a call for service and dispatch an officer to speak with the person. In the event the person is not located within the city or the person requests that an officer not respond then;

1. A call for service shall be entered;

2. Communications Personnel will determine if a victim/witness request for initial information or subsequent

requests requires the presence of a police officer, detective, victim/witness advocate or advocate from the Family Violence and Sexual Assault Unit.

3. An officer shall be summoned to speak with the person via telephone. In some cases, it may be necessary to have the person leave a telephone number where they can be contacted so an officer may return the telephone call;

4. Officers shall be notified within fifteen minutes of the telephone call being terminated; otherwise the communications officer shall contact the person and advise them that an officer is not yet available to speak with them but will be given the message as soon as possible.

E. In all cases, the communications center shall inform the victim/ witness of the department's response;

1. Whether an officer is en-route and if there is an expected delay;

2. Whether an officer will telephone them and if there is an expected delay; *or*

3. Whether an outside law enforcement agency will be contacted.

F. The communications center shall notify an on-duty supervisor whenever a call for victim / witness assistance is received.

35.2.12 REPORTS TAKEN BY TELEPHONE

A. The Department may at times receive calls for service over the telephone. By handling some complaints over the telephone, this will increase the patrol officer's visibility in the community. This also offers citizens a convenient and timely way to report an incident or provide additional information to a previous report. The Emporia Police Department may at times receive any type of complaint through the mail, or internet.

B. The following reports are authorized to be taken over the telephone;

1. Larceny (past);

2. Theft of gasoline where no vehicle license plate was obtained;

3. Lost property;

4. Requests for extra patrol;

5. Suspicious Activity;

6. Information reports;

7. Obscene, threatening or abusive telephone calls;

8. Suspicious Activity;

9. Other: Consideration will be given when the caller is not in Emporia and it is neither practical nor necessary for the caller to come back to Emporia or the officer to go to the complainant's location.

C. Telephone incident reports shall be logged into the Records Management System, given a report number, and stored in the computer files. The person taking the report over the telephone is responsible for completing all associated records and documents.

D. If any of the following conditions exist, the call does not qualify for telephone reporting:

1. Offense in Progress;

2. Offender is at the scene or the probability of immediate apprehension exists;

3. Suspect is known and is at the scene or in the immediate area;

4. Where physical evidence may exist;

5. Witnesses need to be interviewed;

6. Facts appear to warrant a patrol officer response;

7. The caller insists on speaking with a police officer;

8. An officer shall be dispatched if a suspect is on scene or if the reporting party is emotionally upset.

35.2.13 PROCEDURES FOR RADIO COMMUNICATIONS

A. Radio traffic should be brief, concise and limited to official business. All radio communications shall be conducted in plain English without the use of 10 codes, signal codes, etc. A uniformed and disciplined approach to radio traffic shall be maintained by all department personnel at all times.

B. Circumstances Requiring Communications Center Notification

1. In addition to any other department orders, patrol officers and field personnel shall communicate the following to the communications center via radio or data communications;

2. When going on-duty or off-duty from the field;

a. Officers arriving at off-duty and secondary employment shall notify the communications center of their location.

3. When arriving and departing a call for service;

4. Officers shall report their location when going out of service;

5. When encountering a suspicious or wanted person officers shall advise their location and, if possible, the identity and/or description of the person.

C. Incident Commanders

1. All supervisors are required to notify communications whenever they assume command of a major incident.

2. Communications Officers shall log said information into the call for service log.

3. For tactical or special operations, the incident commander or supervisor in charge of the operation may have the Communications Center designate the tactical channel for all communications for that specific operation. The use of this channel will be documented in the Special Event Plan of Action or the Search Warrant Operational Plan.

D. Communications with Other Agencies

1. When communicating with other agencies, such as: the Emporia Sheriff's Office, Greensville Fire Department, Greensville Volunteer Rescue Squad, other City Department or any other outside agency personnel all radio communications shall be conducted in plain English without the use of 10 codes, signal codes, etc.

E. Status of Officers

1. The status of officers shall be maintained as part of the CAD radio log. Officers may either place themselves “out-of-service” via their mobile data terminal (MDT) or via radio communications with the communication center. Communications Officers shall enter the status of all officers upon receiving a radio communication.

    a. After a specified time period, Communications Officers will conduct welfare checks on personnel who are out on a call for service or traffic stop for an extended period of time.

2. When officers need immediate assistance in the field they can press the orange emergency button on either their portable or mobile radios.

    a. Upon activation of the emergency alert an alarm will activate on the radio system the officer requiring assistance will have an open radio whereby all of their radio traffic can be heard. In addition a visual box with a message will be visible in the Communications Center for the Communications Officer to have an audio and visual that an officer needs assistance.

    b. The Communications Officer will listen to radio traffic to determine if the officer is in need of assistance or it was pressed by accident.

    c. If an emergency response is needed, the Communications Officer will advise all police personnel that the officer needing assistance is at a specific location based upon the GPS location from the CAD system.

    d. The Communications Officer will keep the radio system alarm open until officers arrive on the scene to assist the officer requesting assistance.

    e. Once officers arrive on the location of the requesting officer, then the Communications Officer will clear the screen in the Communications Center

F. Identification of Officers and Civilian Personnel

1. Officers and civilian personnel are assigned unit numbers which are used to identify them in radio communications and radio log entries. All department unit numbers are formatted as follows;

    a. Begin with the Department three-digit Number;

    b. In order to maintain concise radio communications, personnel shall use the three-digit number to identify themselves when communicating with this department's dispatch center. (Example: Emporia 101 would identify himself simply as "101") However, when communicating with another agency officers shall identify themselves using the agency name and their two or three-digit number (Example: "Emporia 101")

G. Notification of Wanted Persons / Vehicles

1. Communications personnel should remain cognizant of the fact that persons who may be wanted on warrants or in possession of stolen property present an imminent danger to officers.

2. Whenever the communications center receives a wanted person / property notification they shall immediately (prior to confirmation) notify the officer by the following procedure:

    a. The communications officer shall immediately assign an officer as backup if the officer is alone with an offender;

    b. The communications officer shall make reasonable attempts to make sure the officer can receive radio traffic but that the offender cannot over hear said radio traffic. This can be accomplished by using the phrase, "Are you clear for traffic?" or "Is your radio secured?"

    c. The communications officer shall relay all pertinent information to the officer.

    d. Once the officer has been apprised of the information then the communications officer can proceed to confirm the information.

35.2.14 RECORDING AND PLAYBACK OF COMMUNICATIONS

A. The Major is responsible for the maintenance and operation of the EPD 24-hour digital recorder. The recorder shall have immediate playback capability and will record all radio transmissions and telephone line usage within the Police Department. Recordings are retained and stored for safekeeping for a minimum of three (3) years.

B. Any requests for a copy of a recording must be done through the Major.

C. The Department will record the following communication:

1. Police department main frequency;
2. Fire department and rescue squad main frequencies;

3. All 911 telephone lines;

4. All telephone calls to the communications center non-emergency telephone number (434) 634-7320.

D. Department personnel (other than communications officers) who request a copy of radio / telephone traffic shall submit a request to the Major. The request must contain the reason for the request and the approximate date / time of the incident. The Major may, at his/her discretion, require that the request be made in writing.

E. Copies of recordings for the public may only be authorized by the Chief of Police or Major. The release of any recorded telephone / radio conversation(s), to include transcripts, to the public shall conform to the Virginia Freedom of Information Act.

F. Nothing in this section forbids the immediate playback of recorded conversations by communications officers for verification of information received.

35.2.15 ACCEPTING AND DELIVERING EMERGENCY MESSAGES

A. Emergency notification calls, either from citizens or from public agencies, will be handled as a call for service. These calls will be judged on their own merit as to the priority they will receive. If communications personnel are unsure as to how to proceed with a call, they shall notify the shift supervisor.

B. Emergency messages may be delivered subject to the availability of patrol officers.

C. Messages of an emergency nature, dealing with the health and welfare of persons and/or their property, death notifications and

messages dealing with attempts to locate individuals will be accepted and logged by communications center personnel and relayed as soon as possible to on-duty officer(s).

D. No officer shall request that communications center personnel make a telephone call to a third party unless;

1. The call is an emergency;

2. The call is to assist a stranded motorist requesting a locksmith for a vehicle lock-out or a towing company for a private tow; however, officers will not request that a call be placed to a travel club or other motorist assistance club (i.e. AAA).

3. The call is necessary in a tactical situation; and/or

4. A supervisor requests the call.

35.2.16 MISDIRECTED EMERGENCY CALLS

A. Any misdirected emergency calls received via 911 can, in most cases, be immediately transferred to the proper public service agency. Communications personnel should not offer to relay information to another agency of a non-emergency nature. Instead, the caller should be given the proper agencies name and telephone number, if that information is quickly available, and instructed to call that agency with the information.

B. Procedure

1. The following shall be the procedure for transferring misdirected emergency calls:

a. If the call can be forwarded via a 911 transfer button, this will be done immediately.

b. The communications officer shall advise the caller the jurisdiction the call will be transferred to.

c. Once the call is placed, the Communications Officer shall identify him/herself and stay on the line until the call has been transferred and confirmed by the agency or jurisdiction.

d. If 911 transfer button is not available for the jurisdiction in question, then;

(1) The communications officer should obtain the following information;

(a) The location of the caller;

(b) A telephone number where the caller can be reached;

(c) A brief synopsis of the emergency.

(2) The communications officer shall attempt to forward the call to the state police or local agency which has jurisdiction over the location.

(3) The communications officer shall make an attempt to determine and contact the appropriate law enforcement agency and provide them with the previously stated information.

35.2.17 HANDLING DIFFICULT CALLERS

A. Communications Officers will remain professional at all times when handling situations involving difficult or uncooperative callers.

B. Communication Officers must take into consideration that a caller may suffer from:

1. Medical or mental incapacitation;

2. May be under the influence of alcohol or drugs.

C. Extra effort and patience must be observed in handling such callers.

D. In some cases the caller may be abusive or use obscene language:

1. Before disconnecting the phone call, the communications officer must determine that there is not an emergency or unit response required.

2. If a unit a response is required, the communications officer should obtain as much information from the caller as possible and enter a call for service into the CAD system.

35.2.18 HANDLING CALLS FROM ELDERLY AND CHILDREN

A. Communications Officers should be aware that calls receive from children or the elderly may require special considerations.

B. Calls from Children

1. Children may act very clam when faced with a crisis; therefore, communications officers should not judge the severity of the call based on the child's level of emotion.

a. Children may refer to someone who is unconscious as being "asleep" or is "sleeping and won't wake up." This type of call should be treated as an unconscious patient.

b. Children are capable of answering questions and following instructions.

c. Communications Officers should be aware that they may have to ask one question or give one instruction at a time, repeat or re-phrase sentences to simplify them, and make sure they are actually answering or doing what you asked them to.

d. Children may be nervous that they called 911 or that help is taking too long to arrive. Reassure them that they did the right thing by calling 911 and that help is coming.

e. In non-English speaking families the child may be the most fluent in English and may be translating, verify if any adults are present.

C. Calls from the Elderly

1. Elderly callers may have to start at the beginning and if they are interrupted or asked questions about what is happening now, they may have to start at the beginning again.

2. Elderly callers may process information slower.

a. Communications Officers should ask one question at a time and wait for the response.

b. An elderly caller may have hesitated to call due to being unsure about how the 911 system works.

c. Reassure them that they did the right thing and that you are there to help.

d. Communications Officer should be aware that if the caller waited to call, then the situation may now be more serious.

e. Elderly callers may have difficulty hearing, so communications officers should slow their rate of speech, speak clearly and if there is someone else present, speak with them.

35.2.19 HANDLING EMERGENCY HANG-UP CALLS

A. Hang-ups and Abandoned 911 Calls

1. 911 hang-up calls and abandoned 911 calls will be called back to verify if there is an emergency situation or unit response required.

2. If contact is made, determine the reference for the 911 call being called.

   a. If the call was accidental, the call will be disregarded

   b. If there is any doubt that the call was not accidental, or the caller sounds suspicious, the communications officer will enter a call for service so that an officer can verify the circumstances surrounding the call.

   c. If the caller advises that assistance is needed, follow the procedure based on the call type and priority.

   d. If there is no call-back, and the ANI/ALI information has provided an address, a call for service will be entered and a unit dispatched.

3. Any 911 hang-up received from a cell phone where an altercation, struggle or other type of emergency sounding situation was heard prior to being disconnected, will result in an immediate call-back.

   a. If there is no answer, the communications officer will start officers to the area estimated by the ANI/ALI and initiate a cell phone trace with the cell phone provider.

b. If the estimated location is outside of Emporia's jurisdiction communications officers will notify the appropriate agency.

c. 911 hang-ups received from an uninitialized (911-only) cell phone are unable to be called back or traced by a cell phone provider. If a 911 hang-up is received from one of these cell phones and an altercation, struggle, or other type of emergency sounding situation is heard, the communications officer will start officers in the area of the ANI/ALI.

d. If the estimated location is outside of Emporia's jurisdiction communications officers will notify the appropriate agency.

4. If the 911 hang up or abandoned call comes from a Voice over Internet Protocol (VoIP). The communications officer can obtain the address of the (VoIP) customer from the internet provider.

a. The communications officer will dispatch an officer to the address provided to the communications center from the internet provider.

b. If the caller has taken their (VoIP) telephone to another location, the internet provider, nor the communications center will not be able to provide a location of the caller.

c. If an officer responds to the address provided by the internet provider and there is no one home at the residence, then the responding officer should further their investigations and speak with some neighbors to determine if the call could be at another location.

35.2.20 ALARMS

A. The EPD will respond to alarms in an organized fashion. A controlled response affords the greatest possibility for apprehension of offenders, while offering the greatest measure of safety for the responding officer and the employees or residents of a protected location.

B. No private alarms will be connected to the Communications Center. Alarms may be transmitted to the Communications Center by commercial alarm companies, by automatic dialing devices from homes or businesses, by citizens which have knowledge of an alarm and

transmit this to the Department, or by officers who may discover them while on patrol.

C. The Communications Officer is responsible for obtaining sufficient information on reported alarm activations to ensure officer safety and proper classification of the event. Should the alarm company advise that they have confirmed with the protected premises that an actual criminal action has taken place, the dispatcher shall record the event as the actual event, rather than as an alarm. Alarms may be classified as:

1. Unknown Alarm.

2. Bank Burglary Alarm.

3. Bank Robbery Alarm.

4. Commercial Burglary Alarm.

5. Commercial Robbery Alarm.

6. Residential Burglary Alarm.

7. Residential Panic Alarm.

8. Phone Monitor Alarm.

9. School Alarm.

10. Vehicle Alarm.

D. Burglary Alarm - Upon receipt of a burglary alarm the communication officer shall record all available information, dispatch at least two officers, and attempt to make contact with the location via the telephone.

E. Bank Robbery Alarm - Upon receipt of a bank robbery alarm the dispatcher shall record all available information. Communications personnel shall immediately attempt to make telephone contact with the protected location for the purpose of determining the actual situations. The communications officer shall dispatch at least two officers and notify the on-duty supervisor of the call. Officers shall set up a perimeter outside the bank. By telephone, the communications officer shall instruct a bank employee to meet the officer outside. Officers shall only enter the bank if it has been established that the suspects have fled the scene or that it is an accidental alarm.

F. Commercial Robbery Alarm - This shall be handled the same as a bank robbery alarm.

G. Residential Panic Alarm - This shall be handled the same as a bank robbery alarm.

H. General Officer Response to Alarms

1. Utilization of emergency equipment during response will be in compliance with General Order 22.2.1, *Response Procedures/Use of Emergency Equipment*.

2. The first officer to arrive at the scene of an alarm will approach the protected premises carefully, being observant for lookouts and getaway vehicles, and will take a position to cover the entrance without being seen from inside, unless it has been established that the suspects have left. If it has been determined that the suspects have left, the officer will enter and obtain information for a radio lookout.

3. The first back-up officer to arrive at the scene will take a position to cover the second most likely exit. Unless the suspects are known to have left, the backup officers will attempt to position themselves to avoid being seen from within the protected premises. Back-up officers will advise communications as soon as they are in position.

4. In cases of a verified robbery alarm, all other patrol officers will proceed as follows until given other assignments or instructed to resume normal patrol activity. Patrol units not dispatched to, but near the scene of the alarm, will begin moving toward positions from which to observe possible escape routes or areas where robbery suspects might switch vehicles. Upon confirmation of a robbery, patrol officers not otherwise engaged in cases warranting their immediate attention will proceed to the closest point which will afford the opportunity to observe an escape route or effect interception of fleeing suspects.

I. Detective Response to Robberies - Once a robbery is confirmed, all available detectives will proceed toward the victim location unless engaged in other emergency work or directed to disregard. Responding detectives will utilize possible escape routes and be alert to suspicious activity. Any detectives near the residence of known robbery suspects will proceed to that address and then to the robbery location by a route most likely to be used by that subject.

J. Review of Alarms – The Major shall be responsible for monitoring and documenting incidents of consistently malfunctioning alarm systems. If the Major determines that a possible abuse of police services has occurred due to a

malfunctioning alarm, the Major shall contact the owner of the protected premises, as well as the alarm company, in order to conduct a review of the system's effectiveness. Officers are encouraged, to bring to the attention of their supervisor any alarm activation that has a history of frequent activations which are the result of malfunctions.

35.2.21 ALTERNATIVE COMMUNICATIONS

A. NextGen-911: Text to 911

1. It is the policy of the Emporia Police Department to provide a level of service consistent with current and future technological advances.

2. This procedure is to establish guidelines for employees of the Communication Center to properly process, handle and disseminate digital information to include the NextGen-911 text to 911 system. The procedure and process should be followed:

a. Processing and Handling Digital Information

(1) Answering a Call

(a) Your Text Que Name;

(b) Click the Text Call Appearance;

(c) From the Text Calls Window, double-click, or select a call and click pickup;

(d) The Call appears in the Text Conversation Window.

(2) Texting with a Caller

(a) The police department may create and utilize a pre-scripted message, select the most appropriate tab and double-click the message.

(b) To Create a Custom Message, Type in the Text Window and Click Send.

(3) Ending a Text Conversation

(a) The Communications Officer will not release a call until either Police, Fire or Rescue have arrived on the scene.

(b) A text call is automatically released after five (5) minutes of inactivity.

(c) In the Test Conversations Window, Click Release.

(d) To Keep the Text Call Active, Send a Text Message to the Caller.

(4) Transferring a Text Conversation

(a) Internal Transfer

i. Click the Text Call Transfers Button from the Dial Directory while on a Text Call and then click the queue or agency to which you need to transfer the call.

(b) Outside Agency Transfer

i. Outside agencies can be programmed in a tab under Quick Messages using the path provided by the Text Call Center (TCC).

ii. Find the Appropriate agency name and to initiate a transfer double-click on the agency name

iv. Contact the transferring agency to confirm that the text transfer was received.

(5) Transferring an Active Text Call

(a) Click Dial Directory

(b) Click Text Call Transfers

(c) Perform one of the following actions:

i. To Transfer the Text Conversation to another Communications Officer in the

Communications Center, Click the Name of the Queue for your call center

ii. To Transfer the Text Conversation to another agency, click the queue for the appropriate agency.

iii. Contact the other agency to confirm that the text transfer was received

(6) Retrieving Abandoned Text Calls

(a) A text call has been abandoned if it has not been picked up after five (5) minutes. The text call appearance shows the call as abandoned.

(b) The text call window shows the abandoned status of a text call before it is picked up.

(c) The text conversations window shows the abandoned status of a text call after it is picked up.

(d) Click the Text call appearance or double-click the text call in the text call window.

(e) If the text call is abandoned the Communications Officer may place a voice call from the recent calls or you can utilize the department's cell phone to send a text message.

(f) Follow the department procedure addressing abandoned 911 calls.

(7) Calling Back a Text Call

(a) From the Recent Calls list, select the text call that you want to call back

(b) The click, dial.

3. Receiving and Disseminating Text and Other Digital Information

   a. Emporia Police Department Communications Officers and Supervisor are authorized to receive text and digital information.

   b. Communications Officers and Supervisor will follow the same protocol they do for voice calls, gathering the same information, and providing the same pre-arrival and/or post-dispatch instructions to police, fire and rescue.

   c. Procedures for Storage and Security of Data

      (1) Text messages are currently securely stored indefinitely in the Emergency Call Tracking System, “ECaTS. ECaTS collects, analyzes and reports on the raw call detail records.

      (2) The content of all text messages to/from the E-911 Communications Center are considered a public record and will be disseminated in accordance with the Virginia Freedom of Information Act.

   d. Retention of Text Messages

      (1) The Police Department will follow the Library of Virginia records retention schedule for short message/text messages just the same as any other 911 call received by the Police Department.

4. Initial Training

   a. There shall be initial training for communications officers and other appropriate members of the Emporia Police Department in the use of NextGen-911, text to 911.

   b. Newly hired Communications Officers will receive training for NextGen-911, text to 911 during On-the-Job Training prior to being released to solo dispatching.

5. Public Education

a. Upon the implementation of new and emerging technology that affects the community's access to public safety services, the Emporia Police Department will provide education to the community on any possible limitations the new technology may introduce, such as data coverage area, locations services availability, and application reliability.

b. The Public Education can be accomplished through any of the following:

(1) Posting on the Department and City's Social Media Sites;

(2) Preparing a Press Release to the local newspaper;

(3) Presentations to local businesses, neighborhood groups and civic organizations.

35.2.22 RESOURCE AND PROCEDURE MANUALS

A. The Support Division Commander shall be responsible for ensuring the communications center is equipped with all manuals and equipment mentioned in this general order. All department personnel shall furnish necessary documentation (i.e. call out lists, roster, etc.) to the communications supervisor in a timely manner or upon request.

B. Communications Procedure Manual

1. A communications procedure manual shall be kept inside the communications center and accessible to all communication center personnel. Communication personnel shall be thoroughly familiar with all procedures and plans. Any change in procedure or plan should be distributed to all communication center personnel as well as being updated in the manual.

2. The communication procedure manual shall consist of the following and be accessible to all communications personnel through their assigned computer terminals.

a. A current roster of all department personnel which includes each member's residential telephone number and any department or personal cell phone numbers.

b. A call-out list for the following;

(1) Detective On-Call List;

(2) Administration.

(3) Telephone numbers for obtaining emergency and other necessary external services will be kept and maintained in a separate book but in close proximity to the procedure manual.

C. Maps

1. Communications Officers will have access to a map of the City of Emporia which is located on their CAD computer.

35.2.23 COMMUNICATIONS CENTER EMERGENCY OPERATIONS PLAN

A. The Emergency Operations Plan (EOP) provides specific procedures to ensure the Communications Center and its personnel are prepared for disasters, declared states of emergency, systems failures, or any other hazard/critical incident. The EOP incorporates the functions of the Incident Command System (ICS) and outlines the procedures to be initiated by personnel. In addition, the plan describes emergencies originating from any type of natural or man-made disasters that could affect the City of Emporia. All Communications personnel have immediate access to the EOP, which is located in the Police Department General Orders Manual which is located in Power DMS.

B. The Chief of Police is responsible with the planning response to critical incidents for the Communications Center.

C. Communications Incident Command System

1. In order to maintain efficiency of operations, the Communications Center will implement the Incident Command System (ICS) for unusual event or critical incidents that can impact the Communications Center operations, staffing and resources.

2. Command Function

a. The Support Division Commander represents the command function for the Communications Center. This function is tasked with coordinating the Communications Center response to incidents requiring the activation of ICS.

b. Responsibilities:

(1) Coordinating with the Department command staff personnel in the activation of the Communications Center's ICS.

(2) Assessing the event, along with Department command staff, in determining the need for additional Communications personnel. Directing Communications Center personnel in the notification and mobilization of additional Center personnel.

(3) Maintaining communication with all sections of the police department, fire department personnel, rescue squad personnel and other city departments and coordinating with other entities to acquire support.

(4) Providing communications personnel with public information and/or press releases received from the Department's PIO that are publicly available to maintain media relations during the critical incident.

(5) Ensuring the safety of Communications personnel by requiring periodic status/welfare checks from responsible personnel.

(6) The Incident Commander is responsible for preparing an after action report to summarize the event details. Identification of any problems or achievements and any plan of action to implement improvement for future events. This report will be prepared collectively with the input received from Communications personnel.

3. Operations Function

a. The operations function of the Communication Center shall include the Communications Supervisor.

b. Responsibilities:

(1) Executing the incident action plans and making the required notifications.

(2) Assessing and quantifying of staffing in comparison to the event criticality and forwarding the information to the planning function.

(3) Determining equipment functionality and safety of the Communications Center and/or other working environment.

(4) Conducting an emergency notification or acquiring approval from the Support Division Commander in situations requiring an evacuation and coordinating the evacuation efforts.

(5) Evaluating risk and impact of assessment on operations of the Communication Center

(6) Ensuring the safety of all personnel as well as the physical security of the Communications Center and updating the command function of any changes or updates.

(7) Continuity of Communications Operations System

(a) To ensure the continuity of communications operations during a critical incident the Greensville County Sheriff's Office will serve as the Police Department's back-up Communications Center.

(b) If the radios, telephone or Computer-Aided Dispatch fail or the Communications Center is non-functional then the Chief of Police shall receive approval from the Greensville County Sheriff to move City Communications to the Greensville

County Sheriff's Office to maintain a continuity of communications operations.

(c) If the Greensville County Sheriff's Office facility is not available to ensure continuity of communications operations, then the Emporia Police Department Communications Center will take the portable phone and radio system and set up operations within the Municipal Building or another location within the city limits.

4. Planning Function

a. The planning function shall be the responsibility of a Communications Officer assigned by the Incident Commander.

b. Responsibilities:

(1) Preparing, reviewing and providing final approval of any Communications incident plan.

(2) Acting as the external and internal contact for the Communications Center, the assigned Communications Officer will have access to various resources and intelligence mediums. These resources will be used to collect and analyze information to formulate or modify the incident action plan accordingly. Situational updates will be disseminated to Communications personnel as applicable.

(3) Emergent issues involving risk, liability and operations will be brought to the attention of the Support Division Commander. The Communications Officer assigned to the planning function will require periodic updates to assess short and long term effects on Communications Center operations.

(4) Based on the After Action Reports, the Chief of Police may review and modify the EOP accordingly. The Chief of Police will cooperatively review the Communications

Emergency Operations Plan (EOP) with the Support Division Commander and the Communications Supervisor.

(5) In the event the Communications Center requires the use of additional personnel, resources or backup facilities, the Support Division Commander will periodically assess the event until methods for de-escalation and recovery can be implemented.

(6) Upon de-escalation, the Support Division Commander will work to reduce personnel and work with the Communications Supervisor to resume normal operations of the Communication Center.

5. Logistics Function

a. The logistics function shall be the responsibility of the Administrative Assistant to the Chief of Police assigned by the Incident Commander.

b. Responsibilities:

(1) Ensuring operational capability of communications equipment, including but not limited to:

(a) portable radios;

(b) batteries;

(c) radio consoles;

(d) interoperability equipment;

(e) phones.

(2) Coordinating the transportation of Communications Personnel to backup facilities.

(3) Ensuring that first aid kits and medical supplies are on-site and ready for use.

(4) Procuring, organizing and distributing necessary supplies such as food, water,

equipment, flashlights, batteries and any other necessary supplies.

6. Finance/Administration Function

   a. The Finance/Administration function will include the Records Technician. All injuries and liability issues involving Communications personnel will be reported to and documented by this function.

   b. Responsibilities:

      (1) Recording personnel time by logging employee's hours and completing payroll entries and documenting any other expenses related to the critical incident.

      (2) Coordinating with the logistics function to procure and purchase equipment, perishables or other required resources to sustain operations during extended incidents.

      (3) Documenting expenditures on resource request forms

7. After-Action Reports

   a. The Incident Commander is responsible for completing a written after action report for critical incidents for events when the Emergency Operations Plan has been activated. The After-Action report will include, at a minimum:

      (1) The nature or circumstances causing the plan to be activated;

      (2) Specific components or resources within the plan which were utilized;

      (3) The impact of command and supervisory actions;

      (4) Area where future operational or administrative improvements should be considered

8. Annual Review of the Emergency Operations Plan

a. Annually, the Chief of Police will conduct a review of the Emergency Operations Plan. This review will be conducted collaboratively with the Command Staff and the Communications Supervisor. To assist personnel with the review of the EOP, the agency will review and analyze any after action reports that have been completed during the prior year.

9. Training

a. Annual Training

(1) On an annual basis the employees of Emporia Police Department's Emergency Communications Center will receive documented training on the agency's all-hazard plan and the communications center emergency operations plan, to include the Incident Command System for all police department personnel.

b. Biennial Training:

(1) The Emporia Police Department will conduct tabletop or practical exercises if resources are available on a biennial basis on the Department's All-Hazard Plan to include the Incident Command System. This biennial training will include members of the E-911 Communication Center. If a practical exercise is conducted it would be in conjunction with other agencies in the community, or in-house only to prepare for an actual up-coming event.

35.2 COMMUNICATIONS OPERATIONS

35.2.1 24-HOUR DISPATCH OPERATIONS

A. The department conducts continuous dispatch operations 24-hours a day, seven days a week, utilizing radio, emergency and non-emergency telephone and data communications systems. The department provides continuous 24-hour two-way radio communications capability for city departments;

1. 911 Emergency Telephone Service

a. The department provides a 24-hour, toll free 911 telephone service for access to all emergency services provided by the City of Emporia. The 911 service shall serve as the single emergency telephone number to the communications center.

(1) Police;

(2) Fire;

(3) Rescue;

(4) Other City Departments.

B. Receiving and Answering Emergency Telephone Calls.

1. When a 9-1-1 emergency phone call is received at the Communications Center, the Communications Officer will answer with – 9-1-1, Dispatcher _____, What is your emergency?

C. Receiving and Answering Non-Emergency Telephone Calls.

1. When a non-emergency phone call is received at the Communications Center, the Communications Officer will answer with – Emporia Police, Dispatcher _____, How may I help you?

D. Dispatch handling of in-coming emergency and non-emergency phone calls with multiple dispatchers.

1. If there are two dispatchers working and a phone call is received:

a. The call should be answered as soon as possible and whichever dispatcher who answers the phone call is the primary call-taker for that call.

b. The second dispatcher immediately joins in on the call and monitors the call.

c. The primary dispatcher taking the call should obtain location, caller's name, call back number, and nature of complaint and enter the call for dispatch and hit "finished" to dispatch the call.

d. The primary dispatcher on the call will continue the call-taking procedure by asking questions and obtaining additional information.

e. The dispatcher will keep the caller on the line until responding unit (police, fire or ems) arrives on scene.

f. The secondary dispatcher, who is monitoring the call, immediately dispatches the call and monitors radio traffic and other phone lines.

g. The primary dispatcher on the call should enter pertinent information as it is received. The information must be entered as soon as it is received, and comments cannot be held. The secondary dispatcher immediately disseminates the information to fire responders.

h. If the Communications Supervisor is working, the Communications Supervisor will handle additional calls if both dispatchers are handling an emergency call.

i. Dispatchers will need to work as a team when handling calls.

E. Obtaining Complaint Information

1. Because a unit's response to a complaint is based upon the information from the communications officer, it is important to obtain this information from the caller quickly and accurately. In many situation, especially those that involve emergencies, the caller may not understand why they are being asked so many questions.

2. The Communications Officer must be able to communicate the need for information and take charge of the conversation

3. The following will assist the Communications Officer in judging the characteristics of a call to determine whether an emergency or non-emergency response is required.

    a. The Five “W’s”: Where, What, When, Who, Weapons.

        (1) WHERE is the help needed? If you can get one piece of information, make sure that is “where.” If the location is only piece of information obtained prior to being disconnected, units can still be dispatched. Callers do not always know where they are. Incident locations can be determined by street address, business or building name, cross streets, complex name and landmarks. Communications Officers will attempt to verify all incident locations with the caller. If the incident occurred outside of Emporia, the caller should be transferred to the proper agency.

        (2) WHAT is happening? Obtain the nature of the incident by having the caller briefly describe what is happening or happened. Determine whether the call is an emergency or non-emergency, obtain the necessary information from the caller and reference it correctly. The caller’s perception may differ from your own. For example, a caller may state that they have been robbed, when in reality it was a break-in or a theft.

        (3) WHEN did the event occur? Is it in progress? If not, how long ago did it occur? If a caller states that it just happen obtain a specific time frame.

        (4) WHO is the complainant or suspect? Is the complainant a victim, witness or participant in the incident? Get the caller’s name, address and phone number whenever possible. Ask questions in order of priority in case the caller disconnects. Obtain descriptive information

on any suspects, including name, address, physical and clothing description, vehicle description and current location or direction of travel.

(5) WEAPONS, if applicable. Are any weapons being used, threatened or available and where are the weapons. Obtain a description of the type of weapon. Units should always be advised of weapons when responding to a dangerous or potentially dangerous situation.

b. Descriptions

(1) When obtaining a description of a suspect or vehicle ask simple and direct questions: What color shirt was she wearing? Did he have any facial hair? Approximately how tall is he? Avoid open-ended questions, such as What did they look like?

(2) Person/Physical

i. Name
ii. Race
iii. Sex
iv. Age or DOB
v. Height
vi. Weight/Build
vii. Hair Color/Style
viii. Eye Color
ix. Physical Identifiers (scars, marks, tattoos, body piercing, physical disabilities.)

(3) Clothing:

i. Shirt Color/Style
ii. Pants of Shorts Color/Style
iii. Skirt or Dress Color/Style
iv. Clothing Identifiers (hat, purse, bag, glasses)

(4) Vehicle--An easy way to remember all parts of a good vehicle description is to remember the word “CYMBALS.” “CYMBALS” allows you to obtain the easiest and most obvious information first, beginning with the basic

vehicle and gradually getting more specific; however, in some cases it may be more important to get the tag number first while the complainant still has a visual on the vehicle

i. C= Color
ii. Y= Year
iii. M= Make/Model
iv. B= Body Style (2 door, convertible, hatchback)
v. A= Anyone inside of the vehicle
vi. L= License Plate/Tag Number
vii. S= State of License Plate or VIN

(5) Direction of Travel

i. When a person or vehicle pertinent to an incident leaves the scene, obtain a direction of travel. If the caller is uncertain about directions, try using landmarks:

- North (toward Jarratt)
- East (towards Southampton)
- South (towards Skippers
- West (towards Brunswick)

ii. In these situations, it is very important to be familiar with the city and surrounding areas. You can also try using a road (Purdy Road, Brink Road, Brunswick Ave.) or a city landmark (at the High School, at Veteran's Park.

4. Dispatching Officers to 911 Calls

a. A call for service should be generated for every 911 emergency call received by this agency for a location within the City of Emporia. An officer sent to investigate all 911 emergency calls emanating from a fixed telephone landline where a location can be determined through the 911 system except when all of the following conditions have been met;

b. There is a high call volume and the call has been pending for more than thirty minutes due to a lack of available officers;

c. The communications officer has been able to contact the location and speak with a person who;

(1) Sounds rational and competent; and

(2) States to be an adult over the age of eighteen.

d. States that the reason for the 911 call was one of the following;

(1) The number was dialed by mistake;

(2) A child was playing with the phone.

F. Non-Emergency Telephone Service

1. The Department's non-emergency telephone number to the Communications Center is 434-634-7320.

2. The Department's administrative telephone number is 434-634-2121.

3. The Department provides a telephone device for the deaf (TDD).

G. Non-English Speaking Callers

1. The Communications Center will utilize Language Line Solutions when the caller is unable to communicate using English. Language Line Solutions provides 24/7 interpreter services in over 240 languages. The procedure will be as follows:

a. Once the communications officer determines that an interpreter is needed, you will keep the caller on the line and transfer to **(800) 5231786.**

b. You will be prompted to enter your six (6) digit PIN/ID **942076.**

c. Then clearly state the name of the language you need (for example, Spanish).

d. The interpreter will come on the line and ask, "Is the other person on the line or do I need to call them for you?"

e. At that point, advise the interpreter that you have the person on the line, and you can connect them.

f. Once you connect them, you will be on a 3-way call and you will hear the conversation and the interpreter will relay what is being communicated.

g. Once the call is complete, you can thank them and disconnect the line.

h. It is important to make sure that the line in disconnected once your call is complete, the department is billed by the minute for this service.

35.2.2 TTY/TDD TELEPHONE CALLS

A. POLICY

1. The Emporia Police Department is committed to providing emergency and non-emergency communications to the hearing and speech impaired using the TTY (Teletypewriter). TTY is also known as TDD (Telecommunications Device for the Deaf) and it provides hearing-impaired and speech-impaired individuals with the ability to communicate over the telephone system.

B. PROCEDURE

1. Handling a TTY/TDD Call

a. Use the TTY/TDD panel to communicate with speech or hearing-impaired caller who contact the agency using a TTY/TDD device.

b. Phone consoles are configured to detect when a caller is using a TTY/TDD device and will automatically launch the TTY/TDD window.

c. If the console does not automatically detect a TTY/TDD call, the dispatcher should listen to the line to determine if the TTY/TDD screen needs to be opened to communicate with the caller. The TTY/TDD call can be identified by beeping tones or by a recorded message.

d. The TTY/TDD screen has a list of generic questions and statements that can be used to speed up communication.

e. The TTY/TDD Window provides the following information:

(1) Conversation pane—Messages are exchanged between the caller and console user. All entered text displays in the pane. Upper case type shows the

TTY/TDD caller text; lower case type shows the console user's text.

(2) Characters Pending—Number of characters in the TTY/TDD message

(3) Message text box—Point of entry for manually entering TTY/TDD messages

(4) Detect TTY/TDD button—if the automatic TTY/TDD detection does not recognize the TTY/TDD call, a TTY/TDD session can be started using this button

(5) Voice button—Changes the call to a regular voice call

(6) Mode menu button—Lists TTY/TDD modes:

(a) Baudot (HCO) - Hearing Carry Over
Caller can hear but is speech impaired

(b) Baudot (VCO) - Voice Carry Over
Caller cannot hear but can speak

(c) ASCII Answer-Puts conversation in TTY/TDD mode. Console user can answer TTY/TDD calls

(d) ASCII Originate—Console user can initiate TTY/TDD call

(7) Session Control button—Console user can transfer control of a TTY/TDD call to another console user in conference and request control of a TTY/TDD call:

(a) Relinquish Session Control

(b) Request Session Control

(8) Print Button—Prints the TTY/TDD messages currently displayed in the TTY/TDD window

(9) Clear Button—Removes all TTY/TDD messages in the window

(10) Status Area—Displays Mode and Session Owner

(11) Send Button—Sends any typed messages from the Message box or selected pre-programmed message

(12) Pre-Programmed messages—frequently used TTY/TDD messages

(13) Pre-Programmed message categories—Buttons open the window to show categories of pre-programmed messages. (Police, Fire, Medical)

2. Answering a TTY/TDD Call

a. TTY/TDD Call can be received on the console as an incoming call, transferred call, and a conference call. The console is configured to detect a TTY/TDD call and launch the TTY/TDD window automatically as soon as the TTY/TDD call in answered.

b. If a call in answered and there is silence, beeping tones, or a recorded message the caller may be calling from a TTY/TDD device. The dispatcher should open the TTY/TDD window. Click TTY/TDD Button. Click Detect TTY /TDD

c. If no device is detected, follow agency procedure for silent calls.

3. Answering an ASCII TTY/TDD Call

a. Click TTY/TDD

b. In the TTY/TDD window, click Mode

c. Hearing Carry Over Mode (HCO)-allows speech-impaired caller to hear the dispatcher while the caller types messages

d. Voice Carry Over Mode (VCO)-allows hearing-impaired caller to talk to the dispatcher while the caller types messages.

4. Click ASCII Answer to begin the TTY/TDD session

a. When you connect to the TTY/TDD Call:

(1) You can send messages on the TTY/TDD window by either typing messages in the text box or by sending pre-programmed messages. Pre-programmed messages are categorized by type of emergency.

(2) As messages are typed, the characters appear in the conversation pane of the TTY/TDD window and the caller's TTY/TDD display at the same time.

(3) The TTY/TDD Window provides access to pre-programmed TTY/TDD language and abbreviations.

5. Conferencing and Transferring TTY/TDD Calls

a. A TTY/TDD call can be transferred in the same manner as other calls. Conference calls are also created in the same manner as other calls.

b. When a TTY/TDD call is transferred or conferenced, information of the caller displays in the Personal Call Appearance of the other console user. The messages of the conversation are transferred to the Conversation Pane of the TTY/TDD window of the transfer or conferenced party.

6 Placing TTY/TDD Outgoing Calls

a. The dispatcher can place an outgoing call by using the following features:

(1) Recent Calls window

(2) A contact in the Dial Directory

(3) A contact in the Contact Search window

(4) Dial a number from the Dial Pad or the Dial Directory

7. To Disconnect from the Caller:

a. When the conversation is over, click the Release button to release the line.

8. Clearing Calls from the TTY/TDD Window

a. A TTY/TDD call remains in the TTY/TDD window after the calls ends. The released call can be removed manually.

b. From the TTY/TDD window, click the Clear button

9. Printing TTY/TDD Calls

a. A conversation of a released or connected call must display in the TTY/TDD window.

b. From the TTY/TDD window, click the Print button

10. TTY/TDD Language and Abbreviations:

ASAP	As soon as possible, Urgent
CD Or CLD	Could
GA	Go ahead –your turn to transmit
GA to SK	Anything Else? Can I Hang Up?
H	Hold
HCO	Hearing carry over
HLD	Hold
MSG	Message
NBR or NU	Number
PLS	Please
QQ or Q or QM	Question Mark
R	Are
SHD	Should
SK	Stop Keying
SKSK	Goodbye. I am hanging up
TMW	Tomorrow
TTY	Teletypewriter
U	You
UR	Your
VCO	Voice Carry Over
XXX	Error, Erase

11. Training

    a. All Communications Officers will receive initial training on the TTY/TDD system during their on-the-job training and will be documented in the training folder.

    b. All Communications Officers will receive re-training on the TTY/TDD system every six months and will be documented in the Power DMS training module.

12. Testing

    a. On a monthly basis the assigned Communications Officer will conduct testing on the TTY/TDD system and will document the testing in a CAD Event. Upon completion of the testing the communications officer will send an e-mail to the Communications Supervisor and Support Division Commander advising completion of the testing for the TTY/TDD system.

35.2.3 TWO-WAY COMMUNICATIONS

A. The Emporia Police Department's Communication Center radio system provides multi-channel, two-way radio transmissions between the Communications Center and public safety organizations to include law enforcement, fire and rescue; as well as other non-emergency city departments such as public works.

1. The police radio and CAD messaging system is encrypted to protect sensitive communications which can enhance the safety and success of first responders by reducing the opportunity for persons to take advantage of emergency transmissions.

B. Every police and animal control vehicle is equipped with a radio to provide two-way communications with the communications center.

C. All on-duty law enforcement and animal control officers shall be equipped with portable radios to ensure they have continuous two-way communications capabilities with the communications center for the purposes of exchanging information, receiving orders and assignments, requesting assistance and responding to calls for service.

D. Officers are required to ensure the operational status of their assigned radio.

35.2.4 CALLS FOR SERVICE INFORMATION

A. Communications officers that receive a call for service will obtain as much information as possible. The amount of information necessary will depend on the nature of the call. Employees shall gather sufficient information in consideration of officer safety and anticipating conditions to be encountered at the scene.

B. In cases of a crime in progress, a crime that just occurred, or in any case where the caller may be able to provide additional information, the caller shall be held on the telephone while an officer is dispatched. The communications officer shall continue to relay additional information to responding officers. If a call for service cannot immediately be assigned to an officer, the communications officer shall immediately notify the supervisor. When information is received in the Communications Center that warrants dispatching an officer on an auto theft investigation, the communications officer will broadcast a lookout for the stolen vehicle. The communications officer shall make broadcast updates as soon as additional information is received.

C. Every call for a police service is automatically assigned a CAD event number, this number will the year followed by a dash and

then sequential numbers for the entire year (2020-999,999). A call for service may be a request from a citizen by telephone, in person, by letter, text, or from a self-initiated report by an officer. The following information shall be recorded when a call for police service is requested:

1. Control/CAD/Case Number

2. Date and time of request.

3. Name, address and phone number of complainant.

4. Nature or type of incident.

5. Location of incident reported.

6. Identification of Primary and Back-Up Officer

7. Time an officer is dispatched.

8. Time the officer arrives on the scene.

9. Time the officer returns to service.

10. Disposition and status of the reported incident.

D. Every reportable call will be assigned a case number, which is different from the CAD event number. The case number begins with the current year, followed by a dash, followed by the month, followed by a dash followed by the number. The number is consecutive, beginning with 001 until the end of the month (20-04-0100).

E. When an officer is dispatched or responds to assist a primary officer on a call, the dispatcher shall record that a back-up officer is responding. The call number will be the same number that the primary officer is assigned.

F. Back-up officers will be dispatched to calls for service whenever additional officers are required for the following reasons:

1. To ensure the safety of the primary officer;

2. To adequately and effectively handle multiple tasks required at the scene of an incident;

3. To control escalating situations;

4. To assist with the apprehension of suspects;

5. When the primary officer requests back-up.

G. The primary officer may cancel back-up after a careful appraisal of the scene and situation.

H. When back-up is required or requested, the officer closest to the location of the call shall acknowledge and respond if able to do so. Another officer may acknowledge a closer location at which time the original back-up shall be canceled.

I. Supervisors may alter these guidelines and assign back-up officers as situations dictate or at their discretion.

35.2.5 PROCEDURE FOR ASSIGNING OFFICERS TO CALLS

A. It is important to the effective and efficient operation of the department to have an established procedure for assigning personnel to calls for service. Officers, and animal control officers when appropriate, shall be assigned to a call for service based upon the location and the seriousness of the call.

B. Beat Structure

1. Officers are assigned patrol beats in accordance with general order 22.1.1. Whenever possible, officers shall be assigned to those calls occurring within their patrol beat. Officers may take a call from another officer whenever;

a. The officer may be within closer proximity to the location of the call for service;

C. Severity

1. Routine calls for service shall have one officer dispatched to them. The communications center shall, whenever possible, assign a minimum of two officers to any call for service that involves any of the following;

a. An assault or attempted assault of an officer;

b. Domestic violence;

c. Felony traffic stops;

d. When there is an alert for the location of the call indicating two officers are to be dispatched;

e. Any situation likely to result in a custodial arrest, to include;

(1) Warrants;

(2) Calls involving the use of weapons;

(3) Mentally disturbed individuals;

(4) Open doors or windows at businesses or residence;

(5) Situations where the alleged suspect is still at or about to leave the location.

(6) Alarms

(7) Crimes in progress;

(8) Fleeing suspects.

f. When sufficient information cannot be obtained to determine the severity of the call; and

g. Any other situation which, in the opinion of a supervisor, require a multiple officer response or when the original responding officer feels the situation warrants another officer (back-up).

D. Assignment of Supervisors to Calls

1. A supervisor shall be either dispatched to a call or called to the scene of a call by an on-scene officer when an incident of a serious nature occurs for the purposes of assuming command of the scene and control of the situation.

2. An on-duty supervisor shall be notified and will proceed to take command of the following types of incidents;

a. Injury to a police officer or animal control officer;

b. Traffic collisions involving a department vehicle;

c. Vehicle and/or foot pursuits;

d. Major crimes to include;

(1) Felony property crimes, except auto theft (i.e. Burglary).

(2) Felony crimes against persons (i.e. Assault involving serious injury and/or death, robbery, etc.)

(3) Any situation involving the discharge of a firearm or the display of a deadly weapon.

e. Barricade / Hostage situations;

f. Natural / Manmade disasters (i.e. hazardous materials incidents)

g. Any incident involving death or a possibility of death;

h. Incidents involving an allegation against either an on-duty or off-duty member of this department;

i. Large scale disruptions of public order (i.e. riots);

j. Any incident involving an officer using physical force;

k. Escaped prisoners;

l. Any act of terrorism or threatened act of terrorism (i.e. Bomb threats);

m. Any situation where any of the following persons are either arrested or suspected of committing a crime;

(1) An employee of the City of Emporia;

(2) A police officer or other law enforcement officer; or

(3) An elected or appointed official from a neighboring government entity.

n. Any other incidents as requested by citizens, subordinates and/or supervisors.

E. Incident commanders must be logged for any of the following;

1. Any situation involving the discharge of a firearm;

2. Barricade / Hostage situations;

3. Natural / Manmade disasters (i.e. Hazardous materials incidents);

4. Large scale disruptions of public order (i.e. riots);

5. Escaped prisoners;

6. Any act of terrorism or threatened act of terrorism (i.e. Bomb threats).

35.2.6 PATROL RADIO PROCEDURES

A. Operations are more efficient and officer safety is enhanced when communications officers, supervisors and officers know the status and location of fellow officers, the nature of the incidents, and developments in their investigation. All officers shall communicate with a communications officer upon:

1. Arrival at the scene of an incident.

a. On the scene of any emergency, the first EPD unit responding to the scene will notify the communications center to call out Fire, Rescue, Public Works or Utilities, the Power Company or other agencies as needed.

2. Clearing the scene.

3. Making a vehicle or pedestrian stop.

4. Reporting a self-initiated incident.

5. Handling an assignment of administrative duty and leaving the vehicle.

B. Members of the Department will utilize the police radio system only for proper transmission of police related communications. Transmissions should be as professional, concise and complete as possible. At no time will members of the Department misuse or disrupt the radio systems with unauthorized transmissions.

C. Patrol officers are responsible for maintaining contact with the communications officer at all times during their tour of duty. Officers will respond promptly when called by the communications officer over the police radio system and will write down or otherwise record a message when dispatched to a call for service.

D. An alert tone is sounded by the communications officer prior to broadcasting an emergency call for service. When the alert tone has been sounded, officers and communications officers will limit broadcasts to emergency transmissions until the emergency call has been controlled.

E. When officers conduct activities other than calls for service, the communications officer will record those activities as administrative tasks. Included in these entries will be nature, location, disposition and time of the activities. These activities include:

1. Follow-up investigations.

2. Traffic stops.

3. Foot patrol and physical stops.

4. Warrant services.

5. Breaks.

6. Vehicle or equipment repairs.

7. Any situation where an officer may leave their vehicle.

F. Radio and CAD (Computer Aided Dispatch) Designators

1. The Radio Designator System shall be used by all Department personnel. The designators are designed to identify the individual officer. Personnel must adhere to their exact radio designators.

2. The CAD designator will be the permanent Employee Identification Number assigned to the employee and will be used to identify the employee in the computer.

35.2.7 INTEROPERABLE RADIO COMMUNICATIONS PLAN

A. The Emporia Police Department Emergency 911 Communications Center maintains multiple radio communications systems to provide, the extent possible, seamless communication among area public safety and public service agencies that may operate on dissimilar radio systems.

B. Interoperable radio communication systems and equipment include:

1. A radio system that includes a variety of talk groups designated for, but not limited to:

    a. Primary dispatching;

    b. Inquiries and requests;

    c. Tactical operations;

    d. Vehicle-to-Vehicle Communications;

    e. Direct Communication among Public Safety Answering Points;

    f. Local interoperability by every public safety and public service agency in the City of Emporia and Greensville County.

2. Mobile and Portable radios that are equipped with primary dispatch channels of other agencies.

C. Listing of All Frequencies Used By All Public Safety Agencies in the Area.

1. Emporia Police Department-155.8050/153.9725;

2. Greensville County Sheriff's Office-151.025/153.995;

3. SIRS-39.54;

4. Greensville County Fire Department-154.340/153.830;

5. Greensville County Rescue Squad-151.3325/156.2175;

6. Lifestar Ambulance Service-151.0025/155.340;

7. VTAC (EOC)-155.7525;

8. Halifax, NC Communications Center-155.250/155.970;

9. City of Emporia Public Works Department-155.955;

10. City of Emporia Public Utilities Department-460.300/465.300;

11. Emporia Police Department TAC-39.86.

D. Identification of the Person/Organization Responsible for Monitoring the CALL Channels and Assigning Tactical Channels.

1. The Communications Supervisor and Communication Officers with the Emporia Police Department may assign an interoperability channel patch and announce the assignment to other agencies.

E. Other Available Means of Audible Communications

1. The Emporia Police Department Communications Center does not have other available means of audible communications that is related to interoperable radio systems.

F. Annual Documented Interoperable Equipment Testing

1. On an annual basis, the assigned Communications Officer will conduct a documented testing of the interoperable radio system. Upon completion of the annual test the Communications Officer will document results in a CAD event report and will address any deficiencies in the notes section of the CAD event report and bring to the attention of the Communications Supervisor and Support Division Commander.

35.2.8 PROCEDURE FOR RESPONDING TO EMERGENCY REQUESTS

A. An emergency request is any time an officer advises communications that they are involved in a situation whereby a suspect is engaging in

1. Fleeing from an officer;
2. Assaulting an officer;

3. Resisting arrest;

4. Threatening an officer (either while armed or unarmed).

B. In addition, emergency requests also include;

1. Activation of an officer's portable radio alert when it cannot be immediately confirmed that the activation was accidental;

2. Any other instance where an officer requests urgent or expedited backup.

3. Communications Officers should not hesitate in using this procedure whenever they are unsure about an officer's safety.

C. Procedure

1. Upon receiving an emergency request, communications officers shall;

a. Sound an alert tone over the radio;

b. Request that all other units to hold non-emergency radio traffic;

c. Notify all officers of the following;

(1) The officer requesting assistance;

(2) The requesting officer's location;

(3) The type of call the requesting officer is on; and;

(4) The reason for the request, if known.

d. The communications officer should attempt to locate the closest unit and confirm they are en- route to assist.

e. The communications officer shall then notify the on-duty supervisor;

f. The communications officer shall attempt to keep responding officers updated about the situation.

(1) Whenever possible, the radio log should be updated so that an accurate record of event times can be maintained.

35.2.9 HANDLING OF EMERGENCY AND NON-EMERGENCY CALLS

A. The Emporia Police Department's Communications Center serves as the Public Safety Answering Point for all communication within the City of Emporia during business and serves as an after-hours contact for the City when the Municipal Building is closed. This means that communications officers are often contacted about non-police related issues. Often times these are non-emergency issues; however, communications officers need to assess whether such a call is of an urgent (emergency) nature or non-emergency nature.

B. The CAD system is administratively set to determine if an event type is an emergency or non-emergency call for service. The CAD System will recommend the number of officers and supervisory response once a certain type of event code is entered by the Communications Officer.

C. Emergency/Priority Calls

1. Once a caller confirms that they have an emergency, the communications officer will determine if Police, Fire or Rescue response is necessary.

2. Communications Officers will enter the location, event type and other pertinent information and hit the FINISHED button to send the call to the officer assigned. The dispatcher will continuously update call notes to update the status of the complaint

3. Emergency or priority calls are those calls where the following is likely to occur if assistance is not immediately provided;

    a. Death or serious injury;

    b. Large scale property damage (i.e. loss of a house or other building);

    c. A large disruption of utility services;

4. Procedures:

    a. In the event of an emergency or priority call for services the communications officer shall;

        (1) Advise the person calling that an officer will be en-route (if available) and that the communications officers will be contacting the appropriate agency to assist;

        (2) If the person calling is in a location where they may be in danger then the dispatcher shall request they move to another location (i.e. leave the building);

        (3) Dispatch an officer, if available;

        (4) Dispatch any other emergency services that may be required (i.e. fire department, rescue squad, etc.);

        (5) Contact an outside service able to assist in the matter (i.e. water department, public

works, public utilities, the power company, etc.);

(6) The Communications Center will have telephone numbers for all internal and external sources that can assist police, fire and rescue.

5. Special Response Calls

a. The Communications Center will advise either Fire, Rescue or Police if a special response will be required. The appropriate agency supervisor will determine their agency's response to the type of call.

D. Non-Emergency Calls

1. Communications Officers will enter the location, event type, complainant information and remarks into CAD, then hit finished. Any updates or changes in complainant information may be added to the CAD event report.

2. Communications officer should finish a call into CAD within one minute of receiving the call whenever possible. All calls should be accepted into CAD within three minutes of receiving the call for service.

E. Referral of Outside Services

1. In the event of a call for outside services the communications officer will;

a. Advise the person calling either;

(1) That the communications officer will be contacting the outside service; or

(2) How the caller can contact the outside service.

(3) The communications officer should contact any on-call city personnel available to handle the situation.

(4) In the event there is no on-call person then the caller should be informed how to contact the appropriate department during normal business hours.

(5) The Communications Officer will give the caller instructions to assist the caller prior to the arrival of the first responders or completion of the call.

F. Administrative Calls

1. If the Communications Center receives any phone calls for police department, animal control personnel or emergency services the communications officer will transfer the call to the extension or cell phone of the employee that the individual is asking for.

2. If an individual is asking to speak to someone outside of the Police Department headquarters, such as: Fire Department, Rescue Squad, Courthouse, County Sheriff's Office, City Sheriff, any other City Department or Public Utilities Service the Communications Officer will give the individual calling the appropriate phone number so they can make direct contact.

35.2.10 ACCESS TO RESOURCES

A. Immediate Access to Communications Center Resources:

1. The Emporia Police Department Communications Center has only one supervisor and when on-duty their status is displayed in the CAD system.

2. The Communications Center will ensure that the duty roster of all personnel will be posted in the Communications Center on the CAD screen.

3. The Communications Center will have telephone numbers for all police department employees that they have available at their residences, whether they are cell phones or land-lines.

4. Communications Center personnel have access to visual maps of the City of Emporia which is located on each CAD terminal in the Communications Center.

5. The Communications Center has the appropriate telephone numbers for procuring emergency and the necessary external services for police, fire or rescue.

6. The Communications Center has access to tactical dispatching plans associated with critical incidents in the Power DMS system as well as the CAD System.

7. The Communications Center's All-Hazard Plan is available to all communications personnel in the Power DMS system

B. Immediate Access to Client Agency Resources

1. The Communications Center will have the patrol, criminal investigations and special operations on-duty supervisor displayed on the CAD screen.

2. When the Fire Department and Rescue Squad are actively working a call, the officer-in-charge of fire and rescue will be displayed on the CAD screen

3. The Communications Center will ensure that the duty roster of personnel from patrol, special operations and criminal investigations will be posted in the Communications Center on the CAD screen.

4. Call-Out Procedures

a. The Communications Center when notified by a patrol supervisor will contact and notify the on-call detective that they are needed at the scene of a crime.

b. The Communications Center at the direction of a police officer or supervisor will make contact with on-call public service or utility departments whose contact numbers are located within the CAD system.

5. Communications Center personnel have access to visual maps of the City of Emporia which is located on each CAD terminal in the Communications Center; while patrol officers have the visual map of the City of Emporia located within their mobile data terminal.

6. Public Safety Officer Status Indicators

a. Sworn police officers are required to mark on and off duty through either their mobile data terminals or verbally notifying the Communications Center.

b. Sworn police officers will notify the communications center of their status and location either through the

mobile data terminals or verbally marking out of service through the use of their radios.

7. The Communications Center has the appropriate telephone numbers for procuring emergency and the necessary external services for police, fire or rescue.

8. The Communications Center has access to tactical dispatching plans associated with critical incidents in the Power DMS system as well as the CAD System.

9. The Communications Center has access to the Police Departments All-Hazard Plan and the City's Emergency Operations Plan which is located in the Power DMS system

35.2.11 PROCEDURE FOR VICTIMS/WITNESS ASSISTANCE CALLS

A. This order pertains to the procedures communications officers are to follow when receiving a call in reference to a victim / witness seeking assistance. Communications Officers should be familiar with the responsibilities of the officers and supervisors as governed under general order 32.1 (Victim / Witness Assistance)

B. Communications personnel shall first determine whether an emergency or non-emergency situation exists. Emergency situations exist when there is an immediate threat to;

1. The person's physical safety;

2. The physical safety of the person's close relative; and/or

3. The person's residence or other property.

C. If an emergency situation exists then the communications officer shall dispatch an officer(s) to render assistance or shall contact the appropriate law enforcement agency if the person is not located within the City of Emporia.

D. In non-emergency situations where the person is located within the City of Emporia, the communications officer shall enter a call for service and dispatch an officer to speak with the person. In the event the person is not located within the city or the person requests that an officer not respond then;

1. A call for service shall be entered;

2. Communications Personnel will determine if a victim/witness request for initial information or subsequent

requests requires the presence of a police officer, detective, victim/witness advocate or advocate from the Family Violence and Sexual Assault Unit.

3. An officer shall be summoned to speak with the person via telephone. In some cases, it may be necessary to have the person leave a telephone number where they can be contacted so an officer may return the telephone call;

4. Officers shall be notified within fifteen minutes of the telephone call being terminated; otherwise the communications officer shall contact the person and advise them that an officer is not yet available to speak with them but will be given the message as soon as possible.

E. In all cases, the communications center shall inform the victim/ witness of the department's response;

1. Whether an officer is en-route and if there is an expected delay;

2. Whether an officer will telephone them and if there is an expected delay; *or*

3. Whether an outside law enforcement agency will be contacted.

F. The communications center shall notify an on-duty supervisor whenever a call for victim / witness assistance is received.

35.2.12 REPORTS TAKEN BY TELEPHONE

A. The Department may at times receive calls for service over the telephone. By handling some complaints over the telephone, this will increase the patrol officer's visibility in the community. This also offers citizens a convenient and timely way to report an incident or provide additional information to a previous report. The Emporia Police Department may at times receive any type of complaint through the mail, or internet.

B. The following reports are authorized to be taken over the telephone;

1. Larceny (past);

2. Theft of gasoline where no vehicle license plate was obtained;

3. Lost property;

4. Requests for extra patrol;

5. Suspicious Activity;

6. Information reports;

7. Obscene, threatening or abusive telephone calls;

8. Suspicious Activity;

9. Other: Consideration will be given when the caller is not in Emporia and it is neither practical nor necessary for the caller to come back to Emporia or the officer to go to the complainant's location.

C. Telephone incident reports shall be logged into the Records Management System, given a report number, and stored in the computer files. The person taking the report over the telephone is responsible for completing all associated records and documents.

D. If any of the following conditions exist, the call does not qualify for telephone reporting:

1. Offense in Progress;

2. Offender is at the scene or the probability of immediate apprehension exists;

3. Suspect is known and is at the scene or in the immediate area;

4. Where physical evidence may exist;

5. Witnesses need to be interviewed;

6. Facts appear to warrant a patrol officer response;

7. The caller insists on speaking with a police officer;

8. An officer shall be dispatched if a suspect is on scene or if the reporting party is emotionally upset.

35.2.13 PROCEDURES FOR RADIO COMMUNICATIONS

A. Radio traffic should be brief, concise and limited to official business. All radio communications shall be conducted in plain English without the use of 10 codes, signal codes, etc. A uniformed and disciplined approach to radio traffic shall be maintained by all department personnel at all times.

B. Circumstances Requiring Communications Center Notification

1. In addition to any other department orders, patrol officers and field personnel shall communicate the following to the communications center via radio or data communications;

2. When going on-duty or off-duty from the field;

a. Officers arriving at off-duty and secondary employment shall notify the communications center of their location.

3. When arriving and departing a call for service;

4. Officers shall report their location when going out of service;

5. When encountering a suspicious or wanted person officers shall advise their location and, if possible, the identity and/or description of the person.

C. Incident Commanders

1. All supervisors are required to notify communications whenever they assume command of a major incident.

2. Communications Officers shall log said information into the call for service log.

3. For tactical or special operations, the incident commander or supervisor in charge of the operation may have the Communications Center designate the tactical channel for all communications for that specific operation. The use of this channel will be documented in the Special Event Plan of Action or the Search Warrant Operational Plan.

D. Communications with Other Agencies

1. When communicating with other agencies, such as: the Emporia Sheriff's Office, Greensville Fire Department, Greensville Volunteer Rescue Squad, other City Department or any other outside agency personnel all radio communications shall be conducted in plain English without the use of 10 codes, signal codes, etc.

E. Status of Officers

1. The status of officers shall be maintained as part of the CAD radio log. Officers may either place themselves “out-of-service” via their mobile data terminal (MDT) or via radio communications with the communication center. Communications Officers shall enter the status of all officers upon receiving a radio communication.

    a. After a specified time period, Communications Officers will conduct welfare checks on personnel who are out on a call for service or traffic stop for an extended period of time.

2. When officers need immediate assistance in the field they can press the orange emergency button on either their portable or mobile radios.

    a. Upon activation of the emergency alert an alarm will activate on the radio system the officer requiring assistance will have an open radio whereby all of their radio traffic can be heard. In addition a visual box with a message will be visible in the Communications Center for the Communications Officer to have an audio and visual that an officer needs assistance.

    b. The Communications Officer will listen to radio traffic to determine if the officer is in need of assistance or it was pressed by accident.

    c. If an emergency response is needed, the Communications Officer will advise all police personnel that the officer needing assistance is at a specific location based upon the GPS location from the CAD system.

    d. The Communications Officer will keep the radio system alarm open until officers arrive on the scene to assist the officer requesting assistance.

    e. Once officers arrive on the location of the requesting officer, then the Communications Officer will clear the screen in the Communications Center

F. Identification of Officers and Civilian Personnel

1. Officers and civilian personnel are assigned unit numbers which are used to identify them in radio communications and radio log entries. All department unit numbers are formatted as follows;

    a. Begin with the Department three-digit Number;

    b. In order to maintain concise radio communications, personnel shall use the three-digit number to identify themselves when communicating with this department's dispatch center. (Example: Emporia 101 would identify himself simply as "101") However, when communicating with another agency officers shall identify themselves using the agency name and their two or three-digit number (Example: "Emporia 101")

G. Notification of Wanted Persons / Vehicles

1. Communications personnel should remain cognizant of the fact that persons who may be wanted on warrants or in possession of stolen property present an imminent danger to officers.

2. Whenever the communications center receives a wanted person / property notification they shall immediately (prior to confirmation) notify the officer by the following procedure:

    a. The communications officer shall immediately assign an officer as backup if the officer is alone with an offender;

    b. The communications officer shall make reasonable attempts to make sure the officer can receive radio traffic but that the offender cannot over hear said radio traffic. This can be accomplished by using the phrase, "Are you clear for traffic?" or "Is your radio secured?"

    c. The communications officer shall relay all pertinent information to the officer.

    d. Once the officer has been apprised of the information then the communications officer can proceed to confirm the information.

35.2.14 RECORDING AND PLAYBACK OF COMMUNICATIONS

A. The Major is responsible for the maintenance and operation of the EPD 24-hour digital recorder. The recorder shall have immediate playback capability and will record all radio transmissions and telephone line usage within the Police Department. Recordings are retained and stored for safekeeping for a minimum of three (3) years.

B. Any requests for a copy of a recording must be done through the Major.

C. The Department will record the following communication:

1. Police department main frequency;
2. Fire department and rescue squad main frequencies;

3. All 911 telephone lines;

4. All telephone calls to the communications center non-emergency telephone number (434) 634-7320.

D. Department personnel (other than communications officers) who request a copy of radio / telephone traffic shall submit a request to the Major. The request must contain the reason for the request and the approximate date / time of the incident. The Major may, at his/her discretion, require that the request be made in writing.

E. Copies of recordings for the public may only be authorized by the Chief of Police or Major. The release of any recorded telephone / radio conversation(s), to include transcripts, to the public shall conform to the Virginia Freedom of Information Act.

F. Nothing in this section forbids the immediate playback of recorded conversations by communications officers for verification of information received.

35.2.15 ACCEPTING AND DELIVERING EMERGENCY MESSAGES

A. Emergency notification calls, either from citizens or from public agencies, will be handled as a call for service. These calls will be judged on their own merit as to the priority they will receive. If communications personnel are unsure as to how to proceed with a call, they shall notify the shift supervisor.

B. Emergency messages may be delivered subject to the availability of patrol officers.

C. Messages of an emergency nature, dealing with the health and welfare of persons and/or their property, death notifications and

messages dealing with attempts to locate individuals will be accepted and logged by communications center personnel and relayed as soon as possible to on-duty officer(s).

D. No officer shall request that communications center personnel make a telephone call to a third party unless;

1. The call is an emergency;

2. The call is to assist a stranded motorist requesting a locksmith for a vehicle lock-out or a towing company for a private tow; however, officers will not request that a call be placed to a travel club or other motorist assistance club (i.e. AAA).

3. The call is necessary in a tactical situation; and/or

4. A supervisor requests the call.

35.2.16 MISDIRECTED EMERGENCY CALLS

A. Any misdirected emergency calls received via 911 can, in most cases, be immediately transferred to the proper public service agency. Communications personnel should not offer to relay information to another agency of a non-emergency nature. Instead, the caller should be given the proper agencies name and telephone number, if that information is quickly available, and instructed to call that agency with the information.

B. Procedure

1. The following shall be the procedure for transferring misdirected emergency calls:

a. If the call can be forwarded via a 911 transfer button, this will be done immediately.

b. The communications officer shall advise the caller the jurisdiction the call will be transferred to.

c. Once the call is placed, the Communications Officer shall identify him/herself and stay on the line until the call has been transferred and confirmed by the agency or jurisdiction.

d. If 911 transfer button is not available for the jurisdiction in question, then;

(1) The communications officer should obtain the following information;

(a) The location of the caller;

(b) A telephone number where the caller can be reached;

(c) A brief synopsis of the emergency.

(2) The communications officer shall attempt to forward the call to the state police or local agency which has jurisdiction over the location.

(3) The communications officer shall make an attempt to determine and contact the appropriate law enforcement agency and provide them with the previously stated information.

35.2.17 HANDLING DIFFICULT CALLERS

A. Communications Officers will remain professional at all times when handling situations involving difficult or uncooperative callers.

B. Communication Officers must take into consideration that a caller may suffer from:

1. Medical or mental incapacitation;

2. May be under the influence of alcohol or drugs.

C. Extra effort and patience must be observed in handling such callers.

D. In some cases the caller may be abusive or use obscene language:

1. Before disconnecting the phone call, the communications officer must determine that there is not an emergency or unit response required.

2. If a unit a response is required, the communications officer should obtain as much information from the caller as possible and enter a call for service into the CAD system.

35.2.18 HANDLING CALLS FROM ELDERLY AND CHILDREN

A. Communications Officers should be aware that calls receive from children or the elderly may require special considerations.

B. Calls from Children

1. Children may act very clam when faced with a crisis; therefore, communications officers should not judge the severity of the call based on the child's level of emotion.

a. Children may refer to someone who is unconscious as being "asleep" or is "sleeping and won't wake up." This type of call should be treated as an unconscious patient.

b. Children are capable of answering questions and following instructions.

c. Communications Officers should be aware that they may have to ask one question or give one instruction at a time, repeat or re-phrase sentences to simplify them, and make sure they are actually answering or doing what you asked them to.

d. Children may be nervous that they called 911 or that help is taking too long to arrive. Reassure them that they did the right thing by calling 911 and that help is coming.

e. In non-English speaking families the child may be the most fluent in English and may be translating, verify if any adults are present.

C. Calls from the Elderly

1. Elderly callers may have to start at the beginning and if they are interrupted or asked questions about what is happening now, they may have to start at the beginning again.

2. Elderly callers may process information slower.

a. Communications Officers should ask one question at a time and wait for the response.

b. An elderly caller may have hesitated to call due to being unsure about how the 911 system works.

c. Reassure them that they did the right thing and that you are there to help.

d. Communications Officer should be aware that if the caller waited to call, then the situation may now be more serious.

e. Elderly callers may have difficulty hearing, so communications officers should slow their rate of speech, speak clearly and if there is someone else present, speak with them.

35.2.19 HANDLING EMERGENCY HANG-UP CALLS

A. Hang-ups and Abandoned 911 Calls

1. 911 hang-up calls and abandoned 911 calls will be called back to verify if there is an emergency situation or unit response required.

2. If contact is made, determine the reference for the 911 call being called.

   a. If the call was accidental, the call will be disregarded

   b. If there is any doubt that the call was not accidental, or the caller sounds suspicious, the communications officer will enter a call for service so that an officer can verify the circumstances surrounding the call.

   c. If the caller advises that assistance is needed, follow the procedure based on the call type and priority.

   d. If there is no call-back, and the ANI/ALI information has provided an address, a call for service will be entered and a unit dispatched.

3. Any 911 hang-up received from a cell phone where an altercation, struggle or other type of emergency sounding situation was heard prior to being disconnected, will result in an immediate call-back.

   a. If there is no answer, the communications officer will start officers to the area estimated by the ANI/ALI and initiate a cell phone trace with the cell phone provider.

b. If the estimated location is outside of Emporia's jurisdiction communications officers will notify the appropriate agency.

c. 911 hang-ups received from an uninitialized (911-only) cell phone are unable to be called back or traced by a cell phone provider. If a 911 hang-up is received from one of these cell phones and an altercation, struggle, or other type of emergency sounding situation is heard, the communications officer will start officers in the area of the ANI/ALI.

d. If the estimated location is outside of Emporia's jurisdiction communications officers will notify the appropriate agency.

4. If the 911 hang up or abandoned call comes from a Voice over Internet Protocol (VoIP). The communications officer can obtain the address of the (VoIP) customer from the internet provider.

a. The communications officer will dispatch an officer to the address provided to the communications center from the internet provider.

b. If the caller has taken their (VoIP) telephone to another location, the internet provider, nor the communications center will not be able to provide a location of the caller.

c. If an officer responds to the address provided by the internet provider and there is no one home at the residence, then the responding officer should further their investigations and speak with some neighbors to determine if the call could be at another location.

35.2.20 ALARMS

A. The EPD will respond to alarms in an organized fashion. A controlled response affords the greatest possibility for apprehension of offenders, while offering the greatest measure of safety for the responding officer and the employees or residents of a protected location.

B. No private alarms will be connected to the Communications Center. Alarms may be transmitted to the Communications Center by commercial alarm companies, by automatic dialing devices from homes or businesses, by citizens which have knowledge of an alarm and

transmit this to the Department, or by officers who may discover them while on patrol.

C. The Communications Officer is responsible for obtaining sufficient information on reported alarm activations to ensure officer safety and proper classification of the event. Should the alarm company advise that they have confirmed with the protected premises that an actual criminal action has taken place, the dispatcher shall record the event as the actual event, rather than as an alarm. Alarms may be classified as:

1. Unknown Alarm.

2. Bank Burglary Alarm.

3. Bank Robbery Alarm.

4. Commercial Burglary Alarm.

5. Commercial Robbery Alarm.

6. Residential Burglary Alarm.

7. Residential Panic Alarm.

8. Phone Monitor Alarm.

9. School Alarm.

10. Vehicle Alarm.

D. Burglary Alarm - Upon receipt of a burglary alarm the communication officer shall record all available information, dispatch at least two officers, and attempt to make contact with the location via the telephone.

E. Bank Robbery Alarm - Upon receipt of a bank robbery alarm the dispatcher shall record all available information. Communications personnel shall immediately attempt to make telephone contact with the protected location for the purpose of determining the actual situations. The communications officer shall dispatch at least two officers and notify the on-duty supervisor of the call. Officers shall set up a perimeter outside the bank. By telephone, the communications officer shall instruct a bank employee to meet the officer outside. Officers shall only enter the bank if it has been established that the suspects have fled the scene or that it is an accidental alarm.

F. Commercial Robbery Alarm - This shall be handled the same as a bank robbery alarm.

G. Residential Panic Alarm - This shall be handled the same as a bank robbery alarm.

H. General Officer Response to Alarms

1. Utilization of emergency equipment during response will be in compliance with General Order 22.2.1, *Response Procedures/Use of Emergency Equipment*.

2. The first officer to arrive at the scene of an alarm will approach the protected premises carefully, being observant for lookouts and getaway vehicles, and will take a position to cover the entrance without being seen from inside, unless it has been established that the suspects have left. If it has been determined that the suspects have left, the officer will enter and obtain information for a radio lookout.

3. The first back-up officer to arrive at the scene will take a position to cover the second most likely exit. Unless the suspects are known to have left, the backup officers will attempt to position themselves to avoid being seen from within the protected premises. Back-up officers will advise communications as soon as they are in position.

4. In cases of a verified robbery alarm, all other patrol officers will proceed as follows until given other assignments or instructed to resume normal patrol activity. Patrol units not dispatched to, but near the scene of the alarm, will begin moving toward positions from which to observe possible escape routes or areas where robbery suspects might switch vehicles. Upon confirmation of a robbery, patrol officers not otherwise engaged in cases warranting their immediate attention will proceed to the closest point which will afford the opportunity to observe an escape route or effect interception of fleeing suspects.

I. Detective Response to Robberies - Once a robbery is confirmed, all available detectives will proceed toward the victim location unless engaged in other emergency work or directed to disregard. Responding detectives will utilize possible escape routes and be alert to suspicious activity. Any detectives near the residence of known robbery suspects will proceed to that address and then to the robbery location by a route most likely to be used by that subject.

J. Review of Alarms – The Major shall be responsible for monitoring and documenting incidents of consistently malfunctioning alarm systems. If the Major determines that a possible abuse of police services has occurred due to a

malfunctioning alarm, the Major shall contact the owner of the protected premises, as well as the alarm company, in order to conduct a review of the system's effectiveness. Officers are encouraged, to bring to the attention of their supervisor any alarm activation that has a history of frequent activations which are the result of malfunctions.

35.2.21 ALTERNATIVE COMMUNICATIONS

A. NextGen-911: Text to 911

1. It is the policy of the Emporia Police Department to provide a level of service consistent with current and future technological advances.

2. This procedure is to establish guidelines for employees of the Communication Center to properly process, handle and disseminate digital information to include the NextGen-911 text to 911 system. The procedure and process should be followed:

a. Processing and Handling Digital Information

(1) Answering a Call

(a) Your Text Que Name;

(b) Click the Text Call Appearance;

(c) From the Text Calls Window, double-click, or select a call and click pickup;

(d) The Call appears in the Text Conversation Window.

(2) Texting with a Caller

(a) The police department may create and utilize a pre-scripted message, select the most appropriate tab and double-click the message.

(b) To Create a Custom Message, Type in the Text Window and Click Send.

(3) Ending a Text Conversation

(a) The Communications Officer will not release a call until either Police, Fire or Rescue have arrived on the scene.

(b) A text call is automatically released after five (5) minutes of inactivity.

(c) In the Test Conversations Window, Click Release.

(d) To Keep the Text Call Active, Send a Text Message to the Caller.

(4) Transferring a Text Conversation

(a) Internal Transfer

i. Click the Text Call Transfers Button from the Dial Directory while on a Text Call and then click the queue or agency to which you need to transfer the call.

(b) Outside Agency Transfer

i. Outside agencies can be programmed in a tab under Quick Messages using the path provided by the Text Call Center (TCC).

ii. Find the Appropriate agency name and to initiate a transfer double-click on the agency name

iv. Contact the transferring agency to confirm that the text transfer was received.

(5) Transferring an Active Text Call

(a) Click Dial Directory

(b) Click Text Call Transfers

(c) Perform one of the following actions:

i. To Transfer the Text Conversation to another Communications Officer in the

Communications Center, Click the Name of the Queue for your call center

ii. To Transfer the Text Conversation to another agency, click the queue for the appropriate agency.

iii. Contact the other agency to confirm that the text transfer was received

(6) Retrieving Abandoned Text Calls

(a) A text call has been abandoned if it has not been picked up after five (5) minutes. The text call appearance shows the call as abandoned.

(b) The text call window shows the abandoned status of a text call before it is picked up.

(c) The text conversations window shows the abandoned status of a text call after it is picked up.

(d) Click the Text call appearance or double-click the text call in the text call window.

(e) If the text call is abandoned the Communications Officer may place a voice call from the recent calls or you can utilize the department's cell phone to send a text message.

(f) Follow the department procedure addressing abandoned 911 calls.

(7) Calling Back a Text Call

(a) From the Recent Calls list, select the text call that you want to call back

(b) The click, dial.

3. Receiving and Disseminating Text and Other Digital Information

   a. Emporia Police Department Communications Officers and Supervisor are authorized to receive text and digital information.

   b. Communications Officers and Supervisor will follow the same protocol they do for voice calls, gathering the same information, and providing the same pre-arrival and/or post-dispatch instructions to police, fire and rescue.

   c. Procedures for Storage and Security of Data

      (1) Text messages are currently securely stored indefinitely in the Emergency Call Tracking System, “ECaTS. ECaTS collects, analyzes and reports on the raw call detail records.

      (2) The content of all text messages to/from the E-911 Communications Center are considered a public record and will be disseminated in accordance with the Virginia Freedom of Information Act.

   d. Retention of Text Messages

      (1) The Police Department will follow the Library of Virginia records retention schedule for short message/text messages just the same as any other 911 call received by the Police Department.

4. Initial Training

   a. There shall be initial training for communications officers and other appropriate members of the Emporia Police Department in the use of NextGen-911, text to 911.

   b. Newly hired Communications Officers will receive training for NextGen-911, text to 911 during On-the-Job Training prior to being released to solo dispatching.

5. Public Education

a. Upon the implementation of new and emerging technology that affects the community's access to public safety services, the Emporia Police Department will provide education to the community on any possible limitations the new technology may introduce, such as data coverage area, locations services availability, and application reliability.

b. The Public Education can be accomplished through any of the following:

(1) Posting on the Department and City's Social Media Sites;

(2) Preparing a Press Release to the local newspaper;

(3) Presentations to local businesses, neighborhood groups and civic organizations.

35.2.22 RESOURCE AND PROCEDURE MANUALS

A. The Support Division Commander shall be responsible for ensuring the communications center is equipped with all manuals and equipment mentioned in this general order. All department personnel shall furnish necessary documentation (i.e. call out lists, roster, etc.) to the communications supervisor in a timely manner or upon request.

B. Communications Procedure Manual

1. A communications procedure manual shall be kept inside the communications center and accessible to all communication center personnel. Communication personnel shall be thoroughly familiar with all procedures and plans. Any change in procedure or plan should be distributed to all communication center personnel as well as being updated in the manual.

2. The communication procedure manual shall consist of the following and be accessible to all communications personnel through their assigned computer terminals.

a. A current roster of all department personnel which includes each member's residential telephone number and any department or personal cell phone numbers.

b. A call-out list for the following;

(1) Detective On-Call List;

(2) Administration.

(3) Telephone numbers for obtaining emergency and other necessary external services will be kept and maintained in a separate book but in close proximity to the procedure manual.

C. Maps

1. Communications Officers will have access to a map of the City of Emporia which is located on their CAD computer.

35.2.23 COMMUNICATIONS CENTER EMERGENCY OPERATIONS PLAN

A. The Emergency Operations Plan (EOP) provides specific procedures to ensure the Communications Center and its personnel are prepared for disasters, declared states of emergency, systems failures, or any other hazard/critical incident. The EOP incorporates the functions of the Incident Command System (ICS) and outlines the procedures to be initiated by personnel. In addition, the plan describes emergencies originating from any type of natural or man-made disasters that could affect the City of Emporia. All Communications personnel have immediate access to the EOP, which is located in the Police Department General Orders Manual which is located in Power DMS.

B. The Chief of Police is responsible with the planning response to critical incidents for the Communications Center.

C. Communications Incident Command System

1. In order to maintain efficiency of operations, the Communications Center will implement the Incident Command System (ICS) for unusual event or critical incidents that can impact the Communications Center operations, staffing and resources.

2. Command Function

a. The Support Division Commander represents the command function for the Communications Center. This function is tasked with coordinating the Communications Center response to incidents requiring the activation of ICS.

b. Responsibilities:

(1) Coordinating with the Department command staff personnel in the activation of the Communications Center's ICS.

(2) Assessing the event, along with Department command staff, in determining the need for additional Communications personnel. Directing Communications Center personnel in the notification and mobilization of additional Center personnel.

(3) Maintaining communication with all sections of the police department, fire department personnel, rescue squad personnel and other city departments and coordinating with other entities to acquire support.

(4) Providing communications personnel with public information and/or press releases received from the Department's PIO that are publicly available to maintain media relations during the critical incident.

(5) Ensuring the safety of Communications personnel by requiring periodic status/welfare checks from responsible personnel.

(6) The Incident Commander is responsible for preparing an after action report to summarize the event details. Identification of any problems or achievements and any plan of action to implement improvement for future events. This report will be prepared collectively with the input received from Communications personnel.

3. Operations Function

a. The operations function of the Communication Center shall include the Communications Supervisor.

b. Responsibilities:

(1) Executing the incident action plans and making the required notifications.

(2) Assessing and quantifying of staffing in comparison to the event criticality and forwarding the information to the planning function.

(3) Determining equipment functionality and safety of the Communications Center and/or other working environment.

(4) Conducting an emergency notification or acquiring approval from the Support Division Commander in situations requiring an evacuation and coordinating the evacuation efforts.

(5) Evaluating risk and impact of assessment on operations of the Communication Center

(6) Ensuring the safety of all personnel as well as the physical security of the Communications Center and updating the command function of any changes or updates.

(7) Continuity of Communications Operations System

(a) To ensure the continuity of communications operations during a critical incident the Greensville County Sheriff's Office will serve as the Police Department's back-up Communications Center.

(b) If the radios, telephone or Computer-Aided Dispatch fail or the Communications Center is non-functional then the Chief of Police shall receive approval from the Greensville County Sheriff to move City Communications to the Greensville

County Sheriff's Office to maintain a continuity of communications operations.

(c) If the Greensville County Sheriff's Office facility is not available to ensure continuity of communications operations, then the Emporia Police Department Communications Center will take the portable phone and radio system and set up operations within the Municipal Building or another location within the city limits.

4. Planning Function

a. The planning function shall be the responsibility of a Communications Officer assigned by the Incident Commander.

b. Responsibilities:

(1) Preparing, reviewing and providing final approval of any Communications incident plan.

(2) Acting as the external and internal contact for the Communications Center, the assigned Communications Officer will have access to various resources and intelligence mediums. These resources will be used to collect and analyze information to formulate or modify the incident action plan accordingly. Situational updates will be disseminated to Communications personnel as applicable.

(3) Emergent issues involving risk, liability and operations will be brought to the attention of the Support Division Commander. The Communications Officer assigned to the planning function will require periodic updates to assess short and long term effects on Communications Center operations.

(4) Based on the After Action Reports, the Chief of Police may review and modify the EOP accordingly. The Chief of Police will cooperatively review the Communications

Emergency Operations Plan (EOP) with the Support Division Commander and the Communications Supervisor.

(5) In the event the Communications Center requires the use of additional personnel, resources or backup facilities, the Support Division Commander will periodically assess the event until methods for de-escalation and recovery can be implemented.

(6) Upon de-escalation, the Support Division Commander will work to reduce personnel and work with the Communications Supervisor to resume normal operations of the Communication Center.

5. Logistics Function

a. The logistics function shall be the responsibility of the Administrative Assistant to the Chief of Police assigned by the Incident Commander.

b. Responsibilities:

(1) Ensuring operational capability of communications equipment, including but not limited to:

(a) portable radios;

(b) batteries;

(c) radio consoles;

(d) interoperability equipment;

(e) phones.

(2) Coordinating the transportation of Communications Personnel to backup facilities.

(3) Ensuring that first aid kits and medical supplies are on-site and ready for use.

(4) Procuring, organizing and distributing necessary supplies such as food, water,

equipment, flashlights, batteries and any other necessary supplies.

6. Finance/Administration Function

   a. The Finance/Administration function will include the Records Technician. All injuries and liability issues involving Communications personnel will be reported to and documented by this function.

   b. Responsibilities:

      (1) Recording personnel time by logging employee's hours and completing payroll entries and documenting any other expenses related to the critical incident.

      (2) Coordinating with the logistics function to procure and purchase equipment, perishables or other required resources to sustain operations during extended incidents.

      (3) Documenting expenditures on resource request forms

7. After-Action Reports

   a. The Incident Commander is responsible for completing a written after action report for critical incidents for events when the Emergency Operations Plan has been activated. The After-Action report will include, at a minimum:

      (1) The nature or circumstances causing the plan to be activated;

      (2) Specific components or resources within the plan which were utilized;

      (3) The impact of command and supervisory actions;

      (4) Area where future operational or administrative improvements should be considered

8. Annual Review of the Emergency Operations Plan

a. Annually, the Chief of Police will conduct a review of the Emergency Operations Plan. This review will be conducted collaboratively with the Command Staff and the Communications Supervisor. To assist personnel with the review of the EOP, the agency will review and analyze any after action reports that have been completed during the prior year.

9. Training

a. Annual Training

(1) On an annual basis the employees of Emporia Police Department's Emergency Communications Center will receive documented training on the agency's all-hazard plan and the communications center emergency operations plan, to include the Incident Command System for all police department personnel.

b. Biennial Training:

(1) The Emporia Police Department will conduct tabletop or practical exercises if resources are available on a biennial basis on the Department's All-Hazard Plan to include the Incident Command System. This biennial training will include members of the E-911 Communication Center. If a practical exercise is conducted it would be in conjunction with other agencies in the community, or in-house only to prepare for an actual up-coming event.

35.2 COMMUNICATIONS OPERATIONS

35.2.1 24-HOUR DISPATCH OPERATIONS

A. The department conducts continuous dispatch operations 24-hours a day, seven days a week, utilizing radio, emergency and non-emergency telephone and data communications systems. The department provides continuous 24-hour two-way radio communications capability for city departments;

1. 911 Emergency Telephone Service

a. The department provides a 24-hour, toll free 911 telephone service for access to all emergency services provided by the City of Emporia. The 911 service shall serve as the single emergency telephone number to the communications center.

(1) Police;

(2) Fire;

(3) Rescue;

(4) Other City Departments.

B. Receiving and Answering Emergency Telephone Calls.

1. When a 9-1-1 emergency phone call is received at the Communications Center, the Communications Officer will answer with – 9-1-1, Dispatcher _____, What is your emergency?

C. Receiving and Answering Non-Emergency Telephone Calls.

1. When a non-emergency phone call is received at the Communications Center, the Communications Officer will answer with – Emporia Police, Dispatcher _____, How may I help you?

D. Dispatch handling of in-coming emergency and non-emergency phone calls with multiple dispatchers.

1. If there are two dispatchers working and a phone call is received:

a. The call should be answered as soon as possible and whichever dispatcher who answers the phone call is the primary call-taker for that call.

b. The second dispatcher immediately joins in on the call and monitors the call.

c. The primary dispatcher taking the call should obtain location, caller's name, call back number, and nature of complaint and enter the call for dispatch and hit "finished" to dispatch the call.

d. The primary dispatcher on the call will continue the call-taking procedure by asking questions and obtaining additional information.

e. The dispatcher will keep the caller on the line until responding unit (police, fire or ems) arrives on scene.

f. The secondary dispatcher, who is monitoring the call, immediately dispatches the call and monitors radio traffic and other phone lines.

g. The primary dispatcher on the call should enter pertinent information as it is received. The information must be entered as soon as it is received, and comments cannot be held. The secondary dispatcher immediately disseminates the information to fire responders.

h. If the Communications Supervisor is working, the Communications Supervisor will handle additional calls if both dispatchers are handling an emergency call.

i. Dispatchers will need to work as a team when handling calls.

E. Obtaining Complaint Information

1. Because a unit's response to a complaint is based upon the information from the communications officer, it is important to obtain this information from the caller quickly and accurately. In many situation, especially those that involve emergencies, the caller may not understand why they are being asked so many questions.

2. The Communications Officer must be able to communicate the need for information and take charge of the conversation

3. The following will assist the Communications Officer in judging the characteristics of a call to determine whether an emergency or non-emergency response is required.

    a. The Five “W’s”: Where, What, When, Who, Weapons.

        (1) WHERE is the help needed? If you can get one piece of information, make sure that is “where.” If the location is only piece of information obtained prior to being disconnected, units can still be dispatched. Callers do not always know where they are. Incident locations can be determined by street address, business or building name, cross streets, complex name and landmarks. Communications Officers will attempt to verify all incident locations with the caller. If the incident occurred outside of Emporia, the caller should be transferred to the proper agency.

        (2) WHAT is happening? Obtain the nature of the incident by having the caller briefly describe what is happening or happened. Determine whether the call is an emergency or non-emergency, obtain the necessary information from the caller and reference it correctly. The caller’s perception may differ from your own. For example, a caller may state that they have been robbed, when in reality it was a break-in or a theft.

        (3) WHEN did the event occur? Is it in progress? If not, how long ago did it occur? If a caller states that it just happen obtain a specific time frame.

        (4) WHO is the complainant or suspect? Is the complainant a victim, witness or participant in the incident? Get the caller’s name, address and phone number whenever possible. Ask questions in order of priority in case the caller disconnects. Obtain descriptive information

on any suspects, including name, address, physical and clothing description, vehicle description and current location or direction of travel.

(5) WEAPONS, if applicable. Are any weapons being used, threatened or available and where are the weapons. Obtain a description of the type of weapon. Units should always be advised of weapons when responding to a dangerous or potentially dangerous situation.

b. Descriptions

(1) When obtaining a description of a suspect or vehicle ask simple and direct questions: What color shirt was she wearing? Did he have any facial hair? Approximately how tall is he? Avoid open-ended questions, such as What did they look like?

(2) Person/Physical

i. Name
ii. Race
iii. Sex
iv. Age or DOB
v. Height
vi. Weight/Build
vii. Hair Color/Style
viii. Eye Color
ix. Physical Identifiers (scars, marks, tattoos, body piercing, physical disabilities.)

(3) Clothing:

i. Shirt Color/Style
ii. Pants of Shorts Color/Style
iii. Skirt or Dress Color/Style
iv. Clothing Identifiers (hat, purse, bag, glasses)

(4) Vehicle--An easy way to remember all parts of a good vehicle description is to remember the word “CYMBALS.” “CYMBALS” allows you to obtain the easiest and most obvious information first, beginning with the basic

vehicle and gradually getting more specific; however, in some cases it may be more important to get the tag number first while the complainant still has a visual on the vehicle

i. C= Color
ii. Y= Year
iii. M= Make/Model
iv. B= Body Style (2 door, convertible, hatchback)
v. A= Anyone inside of the vehicle
vi. L= License Plate/Tag Number
vii. S= State of License Plate or VIN

(5) Direction of Travel

i. When a person or vehicle pertinent to an incident leaves the scene, obtain a direction of travel. If the caller is uncertain about directions, try using landmarks:

- North (toward Jarratt)
- East (towards Southampton)
- South (towards Skippers
- West (towards Brunswick)

ii. In these situations, it is very important to be familiar with the city and surrounding areas. You can also try using a road (Purdy Road, Brink Road, Brunswick Ave.) or a city landmark (at the High School, at Veteran's Park.

4. Dispatching Officers to 911 Calls

a. A call for service should be generated for every 911 emergency call received by this agency for a location within the City of Emporia. An officer sent to investigate all 911 emergency calls emanating from a fixed telephone landline where a location can be determined through the 911 system except when all of the following conditions have been met;

b. There is a high call volume and the call has been pending for more than thirty minutes due to a lack of available officers;

c. The communications officer has been able to contact the location and speak with a person who;

(1) Sounds rational and competent; and

(2) States to be an adult over the age of eighteen.

d. States that the reason for the 911 call was one of the following;

(1) The number was dialed by mistake;

(2) A child was playing with the phone.

F. Non-Emergency Telephone Service

1. The Department's non-emergency telephone number to the Communications Center is 434-634-7320.

2. The Department's administrative telephone number is 434-634-2121.

3. The Department provides a telephone device for the deaf (TDD).

G. Non-English Speaking Callers

1. The Communications Center will utilize Language Line Solutions when the caller is unable to communicate using English. Language Line Solutions provides 24/7 interpreter services in over 240 languages. The procedure will be as follows:

a. Once the communications officer determines that an interpreter is needed, you will keep the caller on the line and transfer to **(888) 808-9008.**

b. You will be prompted to enter your *8 digit PIN **32810140.**

c. Then clearly state the name of the language you need (for example, Spanish).

d. The interpreter will come on the line and ask, "Is the other person on the line or do I need to call them for you?"

e. At that point, advise the interpreter that you have the person on the line, and you can connect them.

f. Once you connect them, you will be on a 3-way call and you will hear the conversation and the interpreter will relay what is being communicated.

g. Once the call is complete, you can thank them and disconnect the line.

h. It is important to make sure that the line in disconnected once your call is complete, the department is billed by the minute for this service.

35.2.2 TTY/TDD TELEPHONE CALLS

A. POLICY

1. The Emporia Police Department is committed to providing emergency and non-emergency communications to the hearing and speech impaired using the TTY (Teletypewriter). TTY is also known as TDD (Telecommunications Device for the Deaf) and it provides hearing-impaired and speech-impaired individuals with the ability to communicate over the telephone system.

B. PROCEDURE

1. Handling a TTY/TDD Call

a. Use the TTY/TDD panel to communicate with speech or hearing-impaired caller who contact the agency using a TTY/TDD device.

b. Phone consoles are configured to detect when a caller is using a TTY/TDD device and will automatically launch the TTY/TDD window.

c. If the console does not automatically detect a TTY/TDD call, the dispatcher should listen to the line to determine if the TTY/TDD screen needs to be opened to communicate with the caller. The TTY/TDD call can be identified by beeping tones or by a recorded message.

d. The TTY/TDD screen has a list of generic questions and statements that can be used to speed up communication.

e. The TTY/TDD Window provides the following information:

(1) Conversation pane—Messages are exchanged between the caller and console user. All entered text displays in the pane. Upper case type shows the

TTY/TDD caller text; lower case type shows the console user's text.

(2) Characters Pending—Number of characters in the TTY/TDD message

(3) Message text box—Point of entry for manually entering TTY/TDD messages

(4) Detect TTY/TDD button—if the automatic TTY/TDD detection does not recognize the TTY/TDD call, a TTY/TDD session can be started using this button

(5) Voice button—Changes the call to a regular voice call

(6) Mode menu button—Lists TTY/TDD modes:

(a) Baudot (HCO) - Hearing Carry Over
Caller can hear but is speech impaired

(b) Baudot (VCO) - Voice Carry Over
Caller cannot hear but can speak

(c) ASCII Answer-Puts conversation in TTY/TDD mode. Console user can answer TTY/TDD calls

(d) ASCII Originate—Console user can initiate TTY/TDD call

(7) Session Control button—Console user can transfer control of a TTY/TDD call to another console user in conference and request control of a TTY/TDD call:

(a) Relinquish Session Control

(b) Request Session Control

(8) Print Button—Prints the TTY/TDD messages currently displayed in the TTY/TDD window

(9) Clear Button—Removes all TTY/TDD messages in the window

(10) Status Area—Displays Mode and Session Owner

(11) Send Button—Sends any typed messages from the Message box or selected pre-programmed message

(12) Pre-Programmed messages—frequently used TTY/TDD messages

(13) Pre-Programmed message categories—Buttons open the window to show categories of pre-programmed messages. (Police, Fire, Medical)

2. Answering a TTY/TDD Call

a. TTY/TDD Call can be received on the console as an incoming call, transferred call, and a conference call. The console is configured to detect a TTY/TDD call and launch the TTY/TDD window automatically as soon as the TTY/TDD call in answered.

b. If a call in answered and there is silence, beeping tones, or a recorded message the caller may be calling from a TTY/TDD device. The dispatcher should open the TTY/TDD window. Click TTY/TDD Button. Click Detect TTY /TDD

c. If no device is detected, follow agency procedure for silent calls.

3. Answering an ASCII TTY/TDD Call

a. Click TTY/TDD

b. In the TTY/TDD window, click Mode

c. Hearing Carry Over Mode (HCO)-allows speech-impaired caller to hear the dispatcher while the caller types messages

d. Voice Carry Over Mode (VCO)-allows hearing-impaired caller to talk to the dispatcher while the caller types messages.

4. Click ASCII Answer to begin the TTY/TDD session

a. When you connect to the TTY/TDD Call:

(1) You can send messages on the TTY/TDD window by either typing messages in the text box or by sending pre-programmed messages. Pre-programmed messages are categorized by type of emergency.

(2) As messages are typed, the characters appear in the conversation pane of the TTY/TDD window and the caller's TTY/TDD display at the same time.

(3) The TTY/TDD Window provides access to pre-programmed TTY/TDD language and abbreviations.

5. Conferencing and Transferring TTY/TDD Calls

a. A TTY/TDD call can be transferred in the same manner as other calls. Conference calls are also created in the same manner as other calls.

b. When a TTY/TDD call is transferred or conferenced, information of the caller displays in the Personal Call Appearance of the other console user. The messages of the conversation are transferred to the Conversation Pane of the TTY/TDD window of the transfer or conferenced party.

6 Placing TTY/TDD Outgoing Calls

a. The dispatcher can place an outgoing call by using the following features:

(1) Recent Calls window

(2) A contact in the Dial Directory

(3) A contact in the Contact Search window

(4) Dial a number from the Dial Pad or the Dial Directory

7. To Disconnect from the Caller:

a. When the conversation is over, click the Release button to release the line.

8. Clearing Calls from the TTY/TDD Window

a. A TTY/TDD call remains in the TTY/TDD window after the calls ends. The released call can be removed manually.

b. From the TTY/TDD window, click the Clear button

9. Printing TTY/TDD Calls

a. A conversation of a released or connected call must display in the TTY/TDD window.

b. From the TTY/TDD window, click the Print button

10. TTY/TDD Language and Abbreviations:

ASAP	As soon as possible, Urgent
CD Or CLD	Could
GA	Go ahead –your turn to transmit
GA to SK	Anything Else? Can I Hang Up?
H	Hold
HCO	Hearing carry over
HLD	Hold
MSG	Message
NBR or NU	Number
PLS	Please
QQ or Q or QM	Question Mark
R	Are
SHD	Should
SK	Stop Keying
SKSK	Goodbye. I am hanging up
TMW	Tomorrow
TTY	Teletypewriter
U	You
UR	Your
VCO	Voice Carry Over
XXX	Error, Erase

11. Training

    a. All Communications Officers will receive initial training on the TTY/TDD system during their on-the-job training and will be documented in the training folder.

    b. All Communications Officers will receive re-training on the TTY/TDD system every six months.

12. Testing

    a. On a monthly basis the Communications Supervisor will conduct testing on the TTY/TDD system and will submit an e-mail to the Support Division Commander documenting the completion of the testing of the TTY/TDD system.

35.2.3 TWO-WAY COMMUNICATIONS

A. The Emporia Police Department's Communication Center radio system provides multi-channel, two-way radio transmissions between the Communications Center and public safety organizations to include law enforcement, fire and rescue; as well as other non-emergency city departments such as public works.

1. The police radio and CAD messaging system is encrypted to protect sensitive communications which can enhance the safety and success of first responders by reducing the opportunity for persons to take advantage of emergency transmissions.

B. Every police and animal control vehicle is equipped with a radio to provide two-way communications with the communications center.

C. All on-duty law enforcement and animal control officers shall be equipped with portable radios to ensure they have continuous two-way communications capabilities with the communications center for the purposes of exchanging information, receiving orders and assignments, requesting assistance and responding to calls for service.

D. Officers are required to ensure the operational status of their assigned radio.

35.2.4 CALLS FOR SERVICE INFORMATION

A. Communications officers that receive a call for service will obtain as much information as possible. The amount of information necessary will depend on the nature of the call. Employees shall gather sufficient information in consideration of officer safety and anticipating conditions to be encountered at the scene.

B. In cases of a crime in progress, a crime that just occurred, or in any case where the caller may be able to provide additional information, the caller shall be held on the telephone while an officer is dispatched. The communications officer shall continue to relay additional information to responding officers. If a call for service cannot immediately be assigned to an officer, the communications officer shall immediately notify the supervisor. When information is received in the Communications Center that warrants dispatching an officer on an auto theft investigation, the communications officer will broadcast a lookout for the stolen vehicle. The communications officer shall make broadcast updates as soon as additional information is received.

C. Every call for a police service is automatically assigned a CAD event number, this number will the year followed by a dash and then sequential numbers for the entire year (2020-999,999). A call for service may be a request from a citizen by telephone, in person, by letter, text, or from a self-initiated report by an officer. The following information shall be recorded when a call for police service is requested:

1. Control/CAD/Case Number

2. Date and time of request.

3. Name, address and phone number of complainant.

4. Nature or type of incident.

5. Location of incident reported.

6. Identification of Primary and Back-Up Officer

7. Time an officer is dispatched.

8. Time the officer arrives on the scene.

9. Time the officer returns to service.

10. Disposition and status of the reported incident.

D. Every reportable call will be assigned a case number, which is different from the CAD event number. The case number begins with the current year, followed by a dash, followed by the month, followed by a dash followed by the number. The number is consecutive, beginning with 001 until the end of the month (20-04-0100).

E. When an officer is dispatched or responds to assist a primary officer on a call, the dispatcher shall record that a back-up officer is responding. The call number will be the same number that the primary officer is assigned.

F. Back-up officers will be dispatched to calls for service whenever additional officers are required for the following reasons:

1. To ensure the safety of the primary officer;

2. To adequately and effectively handle multiple tasks required at the scene of an incident;

3. To control escalating situations;

4. To assist with the apprehension of suspects;

5. When the primary officer requests back-up.

G. The primary officer may cancel back-up after a careful appraisal of

the scene and situation.

H. When back-up is required or requested, the officer closest to the location of the call shall acknowledge and respond if able to do so. Another officer may acknowledge a closer location at which time the original back-up shall be canceled.

I. Supervisors may alter these guidelines and assign back-up officers as situations dictate or at their discretion.

35.2.5 PROCEDURE FOR ASSIGNING OFFICERS TO CALLS

A. It is important to the effective and efficient operation of the department to have an established procedure for assigning personnel to calls for service. Officers, and animal control officers when appropriate, shall be assigned to a call for service based upon the location and the seriousness of the call.

B. Beat Structure

1. Officers are assigned patrol beats in accordance with general order 22.1.1. Whenever possible, officers shall be assigned to those calls occurring within their patrol beat. Officers may take a call from another officer whenever;

a. The officer may be within closer proximity to the location of the call for service;

C. Severity

1. Routine calls for service shall have one officer dispatched to them. The communications center shall, whenever possible, assign a minimum of two officers to any call for service that involves any of the following;

a. An assault or attempted assault of an officer;

b. Domestic violence;

c. Felony traffic stops;

d. When there is an alert for the location of the call indicating two officers are to be dispatched;

e. Any situation likely to result in a custodial arrest, to include;

(1) Warrants;

(2) Calls involving the use of weapons;

(3) Mentally disturbed individuals;

(4) Open doors or windows at businesses or residence;

(5) Situations where the alleged suspect is still at or about to leave the location.

(6) Alarms

(7) Crimes in progress;

(8) Fleeing suspects.

f. When sufficient information cannot be obtained to determine the severity of the call; and

g. Any other situation which, in the opinion of a supervisor, require a multiple officer response or when the original responding officer feels the situation warrants another officer (back-up).

D. Assignment of Supervisors to Calls

1. A supervisor shall be either dispatched to a call or called to the scene of a call by an on-scene officer when an incident of a serious nature occurs for the purposes of assuming command of the scene and control of the situation.

2. An on-duty supervisor shall be notified and will proceed to take command of the following types of incidents;

a. Injury to a police officer or animal control officer;

b. Traffic collisions involving a department vehicle;

c. Vehicle and/or foot pursuits;

d. Major crimes to include;

(1) Felony property crimes, except auto theft (i.e. Burglary).

(2) Felony crimes against persons (i.e. Assault involving serious injury and/or death, robbery, etc.)

(3) Any situation involving the discharge of a firearm or the display of a deadly weapon.

e. Barricade / Hostage situations;

f. Natural / Manmade disasters (i.e. hazardous materials incidents)

g. Any incident involving death or a possibility of death;

h. Incidents involving an allegation against either an on-duty or off-duty member of this department;

i. Large scale disruptions of public order (i.e. riots);

j. Any incident involving an officer using physical force;

k. Escaped prisoners;

l. Any act of terrorism or threatened act of terrorism (i.e. Bomb threats);

m. Any situation where any of the following persons are either arrested or suspected of committing a crime;

(1) An employee of the City of Emporia;

(2) A police officer or other law enforcement officer; or

(3) An elected or appointed official from a neighboring government entity.

n. Any other incidents as requested by citizens, subordinates and/or supervisors.

E. Incident commanders must be logged for any of the following;

1. Any situation involving the discharge of a firearm;

2. Barricade / Hostage situations;

3. Natural / Manmade disasters (i.e. Hazardous materials incidents);

4. Large scale disruptions of public order (i.e. riots);

5. Escaped prisoners;

6. Any act of terrorism or threatened act of terrorism (i.e. Bomb threats).

35.2.6 PATROL RADIO PROCEDURES

A. Operations are more efficient and officer safety is enhanced when communications officers, supervisors and officers know the status and location of fellow officers, the nature of the incidents, and developments in their investigation. All officers shall communicate with a communications officer upon:

1. Arrival at the scene of an incident.

   a. On the scene of any emergency, the first EPD unit responding to the scene will notify the communications center to call out Fire, Rescue, Public Works or Utilities, the Power Company or other agencies as needed.

2. Clearing the scene.

3. Making a vehicle or pedestrian stop.

4. Reporting a self-initiated incident.
5. Handling an assignment of administrative duty and leaving the vehicle.

B. Members of the Department will utilize the police radio system only for proper transmission of police related communications. Transmissions should be as professional, concise and complete as possible. At no time will members of the Department misuse or disrupt the radio systems with unauthorized transmissions.

C. Patrol officers are responsible for maintaining contact with the communications officer at all times during their tour of duty. Officers will respond promptly when called by the communications officer over the police radio system and will write down or otherwise record a message when dispatched to a call for service.

D. An alert tone is sounded by the communications officer prior to broadcasting an emergency call for service. When the alert tone has been sounded, officers and communications officers will limit broadcasts to emergency transmissions until the emergency call has been controlled.

E. When officers conduct activities other than calls for service, the

communications officer will record those activities as administrative tasks. Included in these entries will be nature, location, disposition and time of the activities. These activities include:

1. Follow-up investigations.

2. Traffic stops.

3. Foot patrol and physical stops.

4. Warrant services.

5. Breaks.

6. Vehicle or equipment repairs.

7. Any situation where an officer may leave their vehicle.

F. Radio and CAD (Computer Aided Dispatch) Designators

1. The Radio Designator System shall be used by all Department personnel. The designators are designed to identify the individual officer. Personnel must adhere to their exact radio designators.

2. The CAD designator will be the permanent Employee Identification Number assigned to the employee and will be used to identify the employee in the computer.

35.2.7 INTEROPERABLE RADIO COMMUNICATIONS PLAN

A. The Emporia Police Department Emergency 911 Communications Center maintains multiple radio communications systems to provide, the extent possible, seamless communication among area public safety and public service agencies that may operate on dissimilar radio systems.

B. Interoperable radio communication systems and equipment include:

1. A radio system that includes a variety of talk groups designated for, but not limited to:

a. Primary dispatching;

b. Inquiries and requests;

c. Tactical operations;

d. Vehicle-to-Vehicle Communications;

e. Direct Communication among Public Safety Answering Points;

f. Local interoperability by every public safety and public service agency in the City of Emporia and Greensville County.

2. Mobile and Portable radios that are equipped with primary dispatch channels of other agencies.

C. Listing of All Frequencies Used By All Public Safety Agencies in the Area.

1. Emporia Police Department-155.8050/153.9725;

2. Greensville County Sheriff's Office-151.025/153.995;

3. SIRS-39.54;

4. Greensville County Fire Department-154.340/153.830;

5. Greensville County Rescue Squad-151.3325/156.2175;

6. Lifestar Ambulance Service-151.0025/155.340;
7. VTAC (EOC)-155.7525;

8. Halifax, NC Communications Center-155.250/155.970;

9. City of Emporia Public Works Department-155.955;

10. City of Emporia Public Utilities Department-460.300/465.300;

11. Emporia Police Department TAC-39.86.

D. Identification of the Person/Organization Responsible for Monitoring the CALL Channels and Assigning Tactical Channels.

1. The Communications Supervisor and Communication Officers with the Emporia Police Department may assign an interoperability channel patch and announce the assignment to other agencies.

E. Other Available Means of Audible Communications

1. The Emporia Police Department Communications Center does not have other available means of audible communications that is related to interoperable radio systems.

F. Annual Documented Interoperable Equipment Testing

1. On an annual basis, the Communications Supervisor will conduct a documented testing of the interoperable radio system. Upon completion of the annual test the Communications Supervisor will document results in a CAD event report and will address any deficiencies in the notes section of the CAD event report.

35.2.8 PROCEDURE FOR RESPONDING TO EMERGENCY REQUESTS

A. An emergency request is any time an officer advises communications that they are involved in a situation whereby a suspect is engaging in

1. Fleeing from an officer;

2. Assaulting an officer;

3. Resisting arrest;

4. Threatening an officer (either while armed or unarmed).

B. In addition, emergency requests also include;

1. Activation of an officer's portable radio alert when it cannot be immediately confirmed that the activation was accidental;

2. Any other instance where an officer requests urgent or expedited backup.

3. Communications Officers should not hesitate in using this procedure whenever they are unsure about an officer's safety.

C. Procedure

1. Upon receiving an emergency request, communications officers shall;

a. Sound an alert tone over the radio;

b. Request that all other units to hold non-emergency radio traffic;

c. Notify all officers of the following;

(1) The officer requesting assistance;

(2) The requesting officer's location;

(3) The type of call the requesting officer is on; and;

(4) The reason for the request, if known.

d. The communications officer should attempt to locate the closest unit and confirm they are en- route to assist.

e. The communications officer shall then notify the on-duty supervisor;

f. The communications officer shall attempt to keep responding officers updated about the situation.

(1) Whenever possible, the radio log should be updated so that an accurate record of event times can be maintained.

35.2.9 HANDLING OF EMERGENCY AND NON-EMERGENCY CALLS

A. The Emporia Police Department's Communications Center serves as the Public Safety Answering Point for all communication within the City of Emporia during business and serves as an after-hours contact for the City when the Municipal Building is closed. This means that communications officers are often contacted about non-police related issues. Often times these are non-emergency issues; however, communications officers need to assess whether such a call is of an urgent (emergency) nature or non-emergency nature.

B. The CAD system is administratively set to determine if an event type is an emergency or non-emergency call for service. The CAD System will recommend the number of officers and supervisory response once a certain type of event code is entered by the Communications Officer.

C. Emergency/Priority Calls

1. Once a caller confirms that they have an emergency, the communications officer will determine if Police, Fire or Rescue response is necessary.

2. Communications Officers will enter the location, event type and other pertinent information and hit the FINISHED button

to send the call to the officer assigned. The dispatcher will continuously update call notes to update the status of the complaint

3. Emergency or priority calls are those calls where the following is likely to occur if assistance is not immediately provided;

    a. Death or serious injury;

    b. Large scale property damage (i.e. loss of a house or other building);

    c. A large disruption of utility services;

4. Procedures:

    a. In the event of an emergency or priority call for services the communications officer shall;

        (1) Advise the person calling that an officer will be en-route (if available) and that the communications officers will be contacting the appropriate agency to assist;

        (2) If the person calling is in a location where they may be in danger then the dispatcher shall request they move to another location (i.e. leave the building);

        (3) Dispatch an officer, if available;

        (4) Dispatch any other emergency services that may be required (i.e. fire department, rescue squad, etc.);

        (5) Contact an outside service able to assist in the matter (i.e. water department, public works, public utilities, the power company, etc.);

        (6) The Communications Center will have telephone numbers for all internal and external sources that can assist police, fire and rescue.

5. Special Response Calls

a. The Communications Center will advise either Fire, Rescue or Police if a special response will be required. The appropriate agency supervisor will determine their agency's response to the type of call.

D. Non-Emergency Calls

1. Communications Officers will enter the location, event type, complainant information and remarks into CAD, then hit finished. Any updates or changes in complainant information may be added to the CAD event report.

2. Communications officer should finish a call into CAD within one minute of receiving the call whenever possible. All calls should be accepted into CAD within three minutes of receiving the call for service.

E. Referral of Outside Services

1. In the event of a call for outside services the communications officer will;

a. Advise the person calling either;

(1) That the communications officer will be contacting the outside service; or

(2) How the caller can contact the outside service.

(3) The communications officer should contact any on-call city personnel available to handle the situation.

(4) In the event there is no on-call person then the caller should be informed how to contact the appropriate department during normal business hours.

(5) The Communications Officer will give the caller instructions to assist the caller prior to the arrival of the first responders or completion of the call.

F. Administrative Calls

1. If the Communications Center receives any phone calls for police department or animal control personnel, emergency service the communications officer will transfer the call to the extension or cell phone of the employee that the individual is asking for.

2. If an individual is asking to speak to someone outside of the Police Department headquarters, such as: Fire Department, Rescue Squad, Courthouse, County Sheriff's Office, City Sheriff, any other City Department or Public Utilities Service the Communications Officer will give the individual calling the appropriate phone number so they can make direct contact.

35.2.10 ACCESS TO RESOURCES

A. Immediate Access to Communications Center Resources:

1. The Emporia Police Department Communications Center has only one supervisor and when on-duty their status is displayed in the CAD system.

2. The Communications Center will ensure that the duty roster of all personnel will be posted in the Communications Center on the CAD screen.

3. The Communications Center will have telephone numbers for all police department employees that they have available at their residences, whether they are cell phones or land-lines.

4. Communications Center personnel have access to visual maps of the City of Emporia which is located on each CAD terminal in the Communications Center.

5. The Communications Center has the appropriate telephone numbers for procuring emergency and the necessary external services for police, fire or rescue.

6. The Communications Center has access to tactical dispatching plans associated with critical incidents in the Power DMS system as well as the CAD System.

7. The Communications Center's All-Hazard Plan is available to all communications personnel in the Power DMS system

B. Immediate Access to Client Agency Resources

1. The Communications Center will have the patrol, criminal investigations and special operations on-duty supervisor displayed on the CAD screen.

2. When the Fire Department and Rescue Squad are actively working a call, the officer-in-charge of fire and rescue will be displayed on the CAD screen

3. The Communications Center will ensure that the duty roster of personnel from patrol, special operations and criminal investigations will be posted in the Communications Center on the CAD screen.

4. Call-Out Procedures

a. The Communications Center when notified by a patrol supervisor will contact and notify the on-call detective that they are needed at the scene of a crime.

b. The Communications Center at the direction of a police officer or supervisor will make contact with on-call public service or utility departments whose contact numbers are located within the CAD system.

5. Communications Center personnel have access to visual maps of the City of Emporia which is located on each CAD terminal in the Communications Center; while patrol officers have the visual map of the City of Emporia located within their mobile data terminal.

6. Public Safety Officer Status Indicators

a. Sworn police officers are required to mark on and off duty through either their mobile data terminals or verbally notifying the Communications Center.

b. Sworn police officers will notify the communications center of their status and location either through the mobile data terminals or verbally marking out of service through the use of their radios.

7. The Communications Center has the appropriate telephone numbers for procuring emergency and the necessary external services for police, fire or rescue.

8. The Communications Center has access to tactical dispatching plans associated with critical incidents in the Power DMS system as well as the CAD System.

9. The Communications Center has access to the Police Departments All-Hazard Plan and the City's Emergency Operations Plan which is located in the Power DMS system

35.2.11 PROCEDURE FOR VICTIMS/WITNESS ASSISTANCE CALLS

A. This order pertains to the procedures communications officers are to follow when receiving a call in reference to a victim / witness seeking assistance. Communications Officers should be familiar with the responsibilities of the officers and supervisors as governed under general order 32.1 (Victim / Witness Assistance)

B. Communications personnel shall first determine whether an emergency or non-emergency situation exists. Emergency situations exist when there is an immediate threat to;

1. The person's physical safety;

2. The physical safety of the person's close relative; and/or

3. The person's residence or other property.

C. If an emergency situation exists then the communications officer shall dispatch an officer(s) to render assistance or shall contact the appropriate law enforcement agency if the person is not located within the City of Emporia.

D. In non-emergency situations where the person is located within the City of Emporia, the communications officer shall enter a call for service and dispatch an officer to speak with the person. In the event the person is not located within the city or the person requests that an officer not respond then;

1. A call for service shall be entered;

2. Communications Personnel will determine if a victim/witness request for initial information or subsequent requests requires the presence of a police officer, detective, victim/witness advocate or advocate from the Family Violence and Sexual Assault Unit.

3. An officer shall be summoned to speak with the person via telephone. In some cases, it may be necessary to have the person leave a telephone number where they can be contacted so an officer may return the telephone call;

4. Officers shall be notified within fifteen minutes of the telephone call being terminated; otherwise the communications officer shall contact the person and advise them that an officer is not yet available to speak with them but will be given the message as soon as possible.

E. In all cases, the communications center shall inform the victim/ witness of the department's response;

1. Whether an officer is en-route and if there is an expected delay;

2. Whether an officer will telephone them and if there is an expected delay; *or*

3. Whether an outside law enforcement agency will be contacted.

F. The communications center shall notify an on-duty supervisor whenever a call for victim / witness assistance is received.

35.2.12 REPORTS TAKEN BY TELEPHONE

A. The Department may at times receive calls for service over the telephone. By handling some complaints over the telephone, this will increase the patrol officer's visibility in the community. This also offers citizens a convenient and timely way to report an incident or provide additional information to a previous report. The Emporia Police Department may at times receive any type of complaint through the mail, or internet.

B. The following reports are authorized to be taken over the telephone;

1. Larceny (past);

2. Theft of gasoline where no vehicle license plate was obtained;

3. Lost property;

4. Requests for extra patrol;

5. Suspicious Activity;

6. Information reports;

7. Obscene, threatening or abusive telephone calls;

8. Suspicious Activity;

9. Other: Consideration will be given when the caller is not in Emporia and it is neither practical nor necessary for the caller to come back to Emporia or the officer to go to the complainant's location.

C. Telephone incident reports shall be logged into the Records Management System, given a report number, and stored in the computer files. The person taking the report over the telephone is responsible for completing all associated records and documents.

D. If any of the following conditions exist, the call does not qualify for telephone reporting:

1. Offense in Progress;

2. Offender is at the scene or the probability of immediate apprehension exists;

3. Suspect is known and is at the scene or in the immediate area;

4. Where physical evidence may exist;

5. Witnesses need to be interviewed;

6. Facts appear to warrant a patrol officer response;

7. The caller insists on speaking with a police officer;

8. An officer shall be dispatched if a suspect is on scene or if the reporting party is emotionally upset.

35.2.13 PROCEDURES FOR RADIO COMMUNICATIONS

A. Radio traffic should be brief, concise and limited to official business. All radio communications shall be conducted in plain English without the use of 10 codes, signal codes, etc. A

uniformed and disciplined approach to radio traffic shall be maintained by all department personnel at all times.

B. Circumstances Requiring Communications Center Notification

1. In addition to any other department orders, patrol officers and field personnel shall communicate the following to the communications center via radio or data communications;

2. When going on-duty or off-duty from the field;

   a. Officers arriving at off-duty and secondary employment shall notify the communications center of their location.

3. When arriving and departing a call for service;

4. Officers shall report their location when going out of service;

5. When encountering a suspicious or wanted person officers shall advise their location and, if possible, the identity and/or description of the person.

C. Incident Commanders

1. All supervisors are required to notify communications whenever they assume command of a major incident.

2. Communications Officers shall log said information into the call for service log.

3. For tactical or special operations, the incident commander or supervisor in charge of the operation may have the Communications Center designate the tactical channel for all communications for that specific operation. The use of this channel will be documented in the Special Event Plan of Action or the Search Warrant Operational Plan.

D. Communications with Other Agencies

1. When communicating with other agencies, such as: the Emporia Sheriff's Office, Greensville Fire Department, Greensville Volunteer Rescue Squad, other City Department or any other outside agency personnel all radio communications shall be conducted in plain English without the use of 10 codes, signal codes, etc.

E. Status of Officers

1. The status of officers shall be maintained as part of the CAD radio log. Officers may either place themselves “out-of-service” via their mobile data terminal (MDT) or via radio communications with the communication center. Communications Officers shall enter the status of all officers upon receiving a radio communication.

    a. After a specified time period, Communications Officers will conduct welfare checks on personnel who are out on a call for service or traffic stop for an extended period of time.

2. When officers need immediate assistance in the field they can press the orange emergency button on either their portable or mobile radios.

    a. Upon activation of the emergency alert an alarm will activate on the radio system the officer requiring assistance will have an open radio whereby all of their radio traffic can be heard. In addition a visual box with a message will be visible in the Communications Center for the Communications Officer to have an audio and visual that an officer needs assistance.

    b. The Communications Officer will listen to radio traffic to determine if the officer is in need of assistance or it was pressed by accident.

    c. If an emergency response is needed, the Communications Officer will advise all police personnel that the officer needing assistance is at a specific location based upon the GPS location from the CAD system.

    d. The Communications Officer will keep the radio system alarm open until officers arrive on the scene to assist the officer requesting assistance.

    e. Once officers arrive on the location of the requesting officer, then the Communications Officer will clear the screen in the Communications Center

F. Identification of Officers and Civilian Personnel

1. Officers and civilian personnel are assigned unit numbers

which are used to identify them in radio communications and radio log entries. All department unit numbers are formatted as follows;

a. Begin with the Department three-digit Number;

b. In order to maintain concise radio communications, personnel shall use the three-digit number to identify themselves when communicating with this department's dispatch center. (Example: Emporia 101 would identify himself simply as "101") However, when communicating with another agency officers shall identify themselves using the agency name and their two or three-digit number (Example: "Emporia 101")

G. Notification of Wanted Persons / Vehicles

1. Communications personnel should remain cognizant of the fact that persons who may be wanted on warrants or in possession of stolen property present an imminent danger to officers.

2. Whenever the communications center receives a wanted person / property notification they shall immediately (prior to confirmation) notify the officer by the following procedure:

a. The communications officer shall immediately assign an officer as backup if the officer is alone with an offender;

b. The communications officer shall make reasonable attempts to make sure the officer can receive radio traffic but that the offender cannot over hear said radio traffic. This can be accomplished by using the phrase, "Are you clear for traffic?" or "Is your radio secured?"

c. The communications officer shall relay all pertinent information to the officer.

d. Once the officer has been apprised of the information then the communications officer can proceed to confirm the information.

35.2.14 RECORDING AND PLAYBACK OF COMMUNICATIONS

A. The Major is responsible for the maintenance and

operation of the EPD 24-hour digital recorder. The recorder shall have immediate playback capability and will record all radio transmissions and telephone line usage within the Police Department. Recordings are retained and stored for safekeeping for a minimum of three (3) years.

B. Any requests for a copy of a recording must be done through the Major.

C. The Department will record the following communication:

1. Police department main frequency;
2. Fire department and rescue squad main frequencies;
3. All 911 telephone lines;
4. All telephone calls to the communications center non-emergency telephone number (434) 634-7320.

D. Department personnel (other than communications officers) who request a copy of radio / telephone traffic shall submit a request to the Major. The request must contain the reason for the request and the approximate date / time of the incident. The Major may, at his/her discretion, require that the request be made in writing.

E. Copies of recordings for the public may only be authorized by the Chief of Police or Major. The release of any recorded telephone / radio conversation(s), to include transcripts, to the public shall conform to the Virginia Freedom of Information Act.

F. Nothing in this section forbids the immediate playback of recorded conversations by communications officers for verification of information received.

35.2.15 ACCEPTING AND DELIVERING EMERGENCY MESSAGES

A. Emergency notification calls, either from citizens or from public agencies, will be handled as a call for service. These calls will be judged on their own merit as to the priority they will receive. If communications personnel are unsure as to how to proceed with a call, they shall notify the shift supervisor.

B. Emergency messages may be delivered subject to the availability of patrol officers.

C. Messages of an emergency nature, dealing with the health and welfare of persons and/or their property, death notifications and messages dealing with attempts to locate individuals will be

accepted and logged by communications center personnel and relayed as soon as possible to on-duty officer(s).

D. No officer shall request that communications center personnel make a telephone call to a third party unless;

1. The call is an emergency;

2. The call is to assist a stranded motorist requesting a locksmith for a vehicle lock-out or a towing company for a private tow; however, officers will not request that a call be placed to a travel club or other motorist assistance club (i.e. AAA).

3. The call is necessary in a tactical situation; and/or

4. A supervisor requests the call.

35.2.16 MISDIRECTED EMERGENCY CALLS

A. Any misdirected emergency calls received via 911 can, in most cases, be immediately transferred to the proper public service agency. Communications personnel should not offer to relay information to another agency of a non-emergency nature. Instead, the caller should be given the proper agencies name and telephone number, if that information is quickly available, and instructed to call that agency with the information.

B. Procedure

1. The following shall be the procedure for transferring misdirected emergency calls:

a. If the call can be forwarded via a 911 transfer button, this will be done immediately.

b. The communications officer shall advise the caller the jurisdiction the call will be transferred to.

c. Once the call is placed, the Communications Officer shall identify him/herself and stay on the line until the call has been transferred and confirmed by the agency or jurisdiction.

d. If 911 transfer button is not available for the jurisdiction in question, then;

(1) The communications officer should obtain the following information;

(a) The location of the caller;

(b) A telephone number where the caller can be reached;

(c) A brief synopsis of the emergency.

(2) The communications officer shall attempt to forward the call to the state police or local agency which has jurisdiction over the location.

(3) The communications officer shall make an attempt to determine and contact the appropriate law enforcement agency and provide them with the previously stated information.

35.2.17 HANDLING DIFFICULT CALLERS

A. Communications Officers will remain professional at all times when handling situations involving difficult or uncooperative callers.

B. Communication Officers must take into consideration that a caller may suffer from:

1. Medical or mental incapacitation;

2. May be under the influence of alcohol or drugs.

C. Extra effort and patience must be observed in handling such callers.

D. In some cases the caller may be abusive or use obscene language:

1. Before disconnecting the phone call, the communications officer must determine that there is not an emergency or unit response required.

2. If a unit a response is required, the communications officer should obtain as much information from the caller as possible and enter a call for service into the CAD system.

35.2.18 HANDLING CALLS FROM ELDERLY AND CHILDREN

A. Communications Officers should be aware that calls receive from children or the elderly may require special considerations.

B. Calls from Children

1. Children may act very clam when faced with a crisis; therefore, communications officers should not judge the severity of the call based on the child's level of emotion.

a. Children may refer to someone who is unconscious as being "asleep" or is "sleeping and won't wake up." This type of call should be treated as an unconscious patient.

b. Children are capable of answering questions and following instructions.

c. Communications Officers should be aware that they may have to ask one question or give one instruction at a time, repeat or re-phrase sentences to simplify them, and make sure they are actually answering or doing what you asked them to.

d. Children may be nervous that they called 911 or that help is taking too long to arrive. Reassure them that they did the right thing by calling 911 and that help is coming.

e. In non-English speaking families the child may be the most fluent in English and may be translating, verify if any adults are present.

C. Calls from the Elderly

1. Elderly callers may have to start at the beginning and if they are interrupted or asked questions about what is happening now, they may have to start at the beginning again.

2. Elderly callers may process information slower.

a. Communications Officers should ask one question at a time and wait for the response.

b. An elderly caller may have hesitated to call due to being unsure about how the 911 system works.

c. Reassure them that they did the right thing and that you are there to help.

d. Communications Officer should be aware that if the caller waited to call, then the situation may now be more serious.

e. Elderly callers may have difficulty hearing, so communications officers should slow their rate of speech, speak clearly and if there is someone else present, speak with them.

35.2.19 HANDLING EMERGENCY HANG-UP CALLS

A. Hang-ups and Abandoned 911 Calls

1. 911 hang-up calls and abandoned 911 calls will be called back to verify if there is an emergency situation or unit response required.

2. If contact is made, determine the reference for the 911 call being called.

   a. If the call was accidental, the call will be disregarded

   b. If there is any doubt that the call was not accidental, or the caller sounds suspicious, the communications officer will enter a call for service so that an officer can verify the circumstances surrounding the call.

   c. If the caller advises that assistance is needed, follow the procedure based on the call type and priority.

   d. If there is no call-back, and the ANI/ALI information has provided an address, a call for service will be entered and a unit dispatched.

3. Any 911 hang-up received from a cell phone where an altercation, struggle or other type of emergency sounding situation was heard prior to being disconnected, will result in an immediate call-back.

   a. If there is no answer, the communications officer will start officers to the area estimated by the ANI/ALI and initiate a cell phone trace with the cell phone provider.

b. If the estimated location is outside of Emporia's jurisdiction communications officers will notify the appropriate agency.

c. 911 hang-ups received from an uninitialized (911-only) cell phone are unable to be called back or traced by a cell phone provider. If a 911 hang-up is received from one of these cell phones and an altercation, struggle, or other type of emergency sounding situation is heard, the communications officer will start officers in the area of the ANI/ALI.

d. If the estimated location is outside of Emporia's jurisdiction communications officers will notify the appropriate agency.

4. If the 911 hang up or abandoned call comes from a Voice over Internet Protocol (VoIP). The communications officer can obtain the address of the (VoIP) customer from the internet provider.

a. The communications officer will dispatch an officer to the address provided to the communications center from the internet provider.

b. If the caller has taken their (VoIP) telephone to another location, the internet provider, nor the communications center will not be able to provide a location of the caller.

c. If an officer responds to the address provided by the internet provider and there is no one home at the residence, then the responding officer should further their investigations and speak with some neighbors to determine if the call could be at another location.

35.2.20 ALARMS

A. The EPD will respond to alarms in an organized fashion. A controlled response affords the greatest possibility for apprehension of offenders, while offering the greatest measure of safety for the responding officer and the employees or residents of a protected location.

B. No private alarms will be connected to the Communications Center. Alarms may be transmitted to the Communications Center by commercial alarm companies, by automatic dialing devices from homes or businesses, by citizens which have knowledge of an alarm and

transmit this to the Department, or by officers who may discover them while on patrol.

C. The Communications Officer is responsible for obtaining sufficient information on reported alarm activations to ensure officer safety and proper classification of the event. Should the alarm company advise that they have confirmed with the protected premises that an actual criminal action has taken place, the dispatcher shall record the event as the actual event, rather than as an alarm. Alarms may be classified as:

1. Unknown Alarm.

2. Bank Burglary Alarm.

3. Bank Robbery Alarm.

4. Commercial Burglary Alarm.

5. Commercial Robbery Alarm.

6. Residential Burglary Alarm.

7. Residential Panic Alarm.

8. Phone Monitor Alarm.

9. School Alarm.

10. Vehicle Alarm.

D. Burglary Alarm - Upon receipt of a burglary alarm the communication officer shall record all available information, dispatch at least two officers, and attempt to make contact with the location via the telephone.

E. Bank Robbery Alarm - Upon receipt of a bank robbery alarm the dispatcher shall record all available information. Communications personnel shall immediately attempt to make telephone contact with the protected location for the purpose of determining the actual situations. The communications officer shall dispatch at least two officers and notify the on-duty supervisor of the call. Officers shall set up a perimeter outside the bank. By telephone, the communications officer shall instruct a bank employee to meet the officer outside. Officers shall only enter the bank if it has been established that the suspects have fled the scene or that it is an accidental alarm.

F. Commercial Robbery Alarm - This shall be handled the same as a bank robbery alarm.

G. Residential Panic Alarm - This shall be handled the same as a bank robbery alarm.

H. General Officer Response to Alarms

1. Utilization of emergency equipment during response will be in compliance with General Order 22.2.1, *Response Procedures/Use of Emergency Equipment*.

2. The first officer to arrive at the scene of an alarm will approach the protected premises carefully, being observant for lookouts and getaway vehicles, and will take a position to cover the entrance without being seen from inside, unless it has been established that the suspects have left. If it has been determined that the suspects have left, the officer will enter and obtain information for a radio lookout.

3. The first back-up officer to arrive at the scene will take a position to cover the second most likely exit. Unless the suspects are known to have left, the backup officers will attempt to position themselves to avoid being seen from within the protected premises. Back-up officers will advise communications as soon as they are in position.

4. In cases of a verified robbery alarm, all other patrol officers will proceed as follows until given other assignments or instructed to resume normal patrol activity. Patrol units not dispatched to, but near the scene of the alarm, will begin moving toward positions from which to observe possible escape routes or areas where robbery suspects might switch vehicles. Upon confirmation of a robbery, patrol officers not otherwise engaged in cases warranting their immediate attention will proceed to the closest point which will afford the opportunity to observe an escape route or effect interception of fleeing suspects.

I. Detective Response to Robberies - Once a robbery is confirmed, all available detectives will proceed toward the victim location unless engaged in other emergency work or directed to disregard. Responding detectives will utilize possible escape routes and be alert to suspicious activity. Any detectives near the residence of known robbery suspects will proceed to that address and then to the robbery location by a route most likely to be used by that subject.

J. Review of Alarms – The Major shall be responsible for monitoring and documenting incidents of consistently malfunctioning alarm systems. If the Major determines that a possible abuse of police services has occurred due to a

malfunctioning alarm, the Major shall contact the owner of the protected premises, as well as the alarm company, in order to conduct a review of the system's effectiveness. Officers are encouraged, to bring to the attention of their supervisor any alarm activation that has a history of frequent activations which are the result of malfunctions.

35.2.21 ALTERNATIVE COMMUNICATIONS

A. NextGen-911: Text to 911

1. It is the policy of the Emporia Police Department to provide a level of service consistent with current and future technological advances.

2. This procedure is to establish guidelines for employees of the Communication Center to properly process, handle and disseminate digital information to include the NextGen-911 text to 911 system. The procedure and process should be followed:

a. Processing and Handling Digital Information

(1) Answering a Call

(a) Your Text Que Name;

(b) Click the Text Call Appearance;

(c) From the Text Calls Window, double-click, or select a call and click pickup;

(d) The Call appears in the Text Conversation Window.

(2) Texting with a Caller

(a) The police department may create and utilize a pre-scripted message, select the most appropriate tab and double-click the message.

(b) To Create a Custom Message, Type in the Text Window and Click Send.

(3) Ending a Text Conversation

(a) The Communications Officer will not release a call until either Police, Fire or Rescue have arrived on the scene.

(b) A text call is automatically released after five (5) minutes of inactivity.

(c) In the Test Conversations Window, Click Release.

(d) To Keep the Text Call Active, Send a Text Message to the Caller.

(4) Transferring a Text Conversation

(a) Internal Transfer

i. Click the Text Call Transfers Button from the Dial Directory while on a Text Call and then click the queue or agency to which you need to transfer the call.

(b) Outside Agency Transfer

i. Outside agencies can be programmed in a tab under Quick Messages using the path provided by the Text Call Center (TCC).

ii. Find the Appropriate agency name and to initiate a transfer double-click on the agency name

iv. Contact the transferring agency to confirm that the text transfer was received.

(5) Transferring an Active Text Call

(a) Click Dial Directory

(b) Click Text Call Transfers

(c) Perform one of the following actions:

i. To Transfer the Text Conversation to another Communications Officer in the

Communications Center, Click the Name of the Queue for your call center

ii. To Transfer the Text Conversation to another agency, click the queue for the appropriate agency.

iii. Contact the other agency to confirm that the text transfer was received

(6) Retrieving Abandoned Text Calls

(a) A text call has been abandoned if it has not been picked up after five (5) minutes. The text call appearance shows the call as abandoned.

(b) The text call window shows the abandoned status of a text call before it is picked up.

(c) The text conversations window shows the abandoned status of a text call after it is picked up.

(d) Click the Text call appearance or double-click the text call in the text call window.

(e) If the text call is abandoned the Communications Officer may place a voice call from the recent calls or you can utilize the department's cell phone to send a text message.

(f) Follow the department procedure addressing abandoned 911 calls.

(7) Calling Back a Text Call

(a) From the Recent Calls list, select the text call that you want to call back

(b) The click, dial.

3. Receiving and Disseminating Text and Other Digital Information

   a. Emporia Police Department Communications Officers and Supervisor are authorized to receive text and digital information.

   b. Communications Officers and Supervisor will follow the same protocol they do for voice calls, gathering the same information, and providing the same pre-arrival and/or post-dispatch instructions to police, fire and rescue.

   c. Procedures for Storage and Security of Data

      (1) Text messages are currently securely stored indefinitely in the Emergency Call Tracking System, “ECaTS. ECaTS collects, analyzes and reports on the raw call detail records.

      (2) The content of all text messages to/from the E-911 Communications Center are considered a public record and will be disseminated in accordance with the Virginia Freedom of Information Act.

   d. Retention of Text Messages

      (1) The Police Department will follow the Library of Virginia records retention schedule for short message/text messages just the same as any other 911 call received by the Police Department.

4. Initial Training

   a. There shall be initial training for communications officers and other appropriate members of the Emporia Police Department in the use of NextGen-911, text to 911.

   b. Newly hired Communications Officers will receive training for NextGen-911, text to 911 during On-the-Job Training prior to being released to solo dispatching.

5. Public Education

a. Upon the implementation of new and emerging technology that affects the community's access to public safety services, the Emporia Police Department will provide education to the community on any possible limitations the new technology may introduce, such as data coverage area, locations services availability, and application reliability.

b. The Public Education can be accomplished through any of the following:

(1) Posting on the Department and City's Social Media Sites;

(2) Preparing a Press Release to the local newspaper;

(3) Presentations to local businesses, neighborhood groups and civic organizations.

35.2.22 RESOURCE AND PROCEDURE MANUALS

A. The Support Division Commander shall be responsible for ensuring the communications center is equipped with all manuals and equipment mentioned in this general order. All department personnel shall furnish necessary documentation (i.e. call out lists, roster, etc.) to the communications supervisor in a timely manner or upon request.

B. Communications Procedure Manual

1. A communications procedure manual shall be kept inside the communications center and accessible to all communication center personnel. Communication personnel shall be thoroughly familiar with all procedures and plans. Any change in procedure or plan should be distributed to all communication center personnel as well as being updated in the manual.

2. The communication procedure manual shall consist of the following;

a. A current roster of all department personnel which includes each member's residential telephone number and any department or personal cell phone numbers.

b. A call-out list for the following;

(1) Detective On-Call List;

(2) Administration.

(3) Telephone numbers for obtaining emergency and other necessary external services will be kept and maintained in a separate book but in close proximity to the procedure manual.

C. Maps

1. Communications will have at least one map of the City and each computer terminal will have a map of the City.

35.2.23 COMMUNICATIONS CENTER EMERGENCY OPERATIONS PLAN

A. The Emergency Operations Plan (EOP) provides specific procedures to ensure the Communications Center and its personnel are prepared for disasters, declared states of emergency, systems failures, or any other hazard/critical incident. The EOP incorporates the functions of the Incident Command System (ICS) and outlines the procedures to be initiated by personnel. In addition, the plan describes emergencies originating from any type of natural or man-made disasters that could affect the City of Emporia. All Communications personnel have immediate access to the EOP, which is located in the Police Department General Orders Manual which is located in Power DMS.

B. The Chief of Police is responsible with the planning response to critical incidents for the Communications Center.

C. Communications Incident Command System

1. In order to maintain efficiency of operations, the Communications Center will implement the Incident Command System (ICS) for unusual event or critical incidents that can impact the Communications Center operations, staffing and resources.

2. Command Function

a. The Support Division Commander represents the command function for the Communications Center.

This function is tasked with coordinating the Communications Center response to incidents requiring the activation of ICS.

b. Responsibilities:

(1) Coordinating with the Department command staff personnel in the activation of the Communications Center's ICS.

(2) Assessing the event, along with Department command staff, in determining the need for additional Communications personnel. Directing Communications Center personnel in the notification and mobilization of additional Center personnel.

(3) Maintaining communication with all sections of the police department, fire department personnel, rescue squad personnel and other city departments and coordinating with other entities to acquire support.

(4) Providing communications personnel with public information and/or press releases received from the Department's PIO that are publicly available to maintain media relations during the critical incident.

(5) Ensuring the safety of Communications personnel by requiring periodic status/welfare checks from responsible personnel.

(6) The Incident Commander is responsible for preparing an after action report to summarize the event details. Identification of any problems or achievements and any plan of action to implement improvement for future events. This report will be prepared collectively with the input received from Communications personnel.

3. Operations Function

a. The operations function of the Communication Center shall include the Communications Supervisor.

b. Responsibilities:

(1) Executing the incident action plans and making the required notifications.

(2) Assessing and quantifying of staffing in comparison to the event criticality and forwarding the information to the planning function.

(3) Determining equipment functionality and safety of the Communications Center and/or other working environment.

(4) Conducting an emergency notification or acquiring approval from the Support Division Commander in situations requiring an evacuation and coordinating the evacuation efforts.

(5) Evaluating risk and impact of assessment on operations of the Communication Center

(6) Ensuring the safety of all personnel as well as the physical security of the Communications Center and updating the command function of any changes or updates.

(7) Continuity of Communications Operations System

(a) To ensure the continuity of communications operations during a critical incident the Greensville County Sheriff's Office will serve as the Police Department's back-up Communications Center.

(b) If the radios, telephone or Computer-Aided Dispatch fail or the Communications Center is non-functional then the Chief of Police shall receive approval from the Greensville County Sheriff to move City Communications to the Greensville County Sheriff's Office to maintain a continuity of communications operations.

(c) If the Greensville County Sheriff's Office facility is not available to ensure continuity of communications operations, then the Emporia Police Department Communications Center will take the portable phone and radio system and set up operations within the Municipal Building or another location within the city limits.

4. Planning Function

a. The planning function shall be the responsibility of a Communications Officer assigned by the Incident Commander.

b. Responsibilities:

(1) Preparing, reviewing and providing final approval of any Communications incident plan.

(2) Acting as the external and internal contact for the Communications Center, the assigned Communications Officer will have access to various resources and intelligence mediums. These resources will be used to collect and analyze information to formulate or modify the incident action plan accordingly. Situational updates will be disseminated to Communications personnel as applicable.

(3) Emergent issues involving risk, liability and operations will be brought to the attention of the Support Division Commander. The Communications Officer assigned to the planning function will require periodic updates to assess short and long term effects on Communications Center operations.

(4) Based on the After Action Reports, the Chief of Police may review and modify the EOP accordingly. The Chief of Police will cooperatively review the Communications Emergency Operations Plan (EOP) with the Support Division Commander and the Communications Supervisor.

(5) In the event the Communications Center requires the use of additional personnel, resources or backup facilities, the Support Division Commander will periodically assess the event until methods for de-escalation and recovery can be implemented.

(6) Upon de-escalation, the Support Division Commander will work to reduce personnel and work with the Communications Supervisor to resume normal operations of the Communication Center.

5. Logistics Function

a. The logistics function shall be the responsibility of the Administrative Assistant to the Chief of Police assigned by the Incident Commander.

b. Responsibilities:

(1) Ensuring operational capability of communications equipment, including but not limited to:

(a) portable radios;

(b) batteries;

(c) radio consoles;

(d) interoperability equipment;

(e) phones.

(2) Coordinating the transportation of Communications Personnel to backup facilities.

(3) Ensuring that first aid kits and medical supplies are on-site and ready for use.

(4) Procuring, organizing and distributing necessary supplies such as food, water, equipment, flashlights, batteries and any other necessary supplies.

6. Finance/Administration Function

   a. The Finance/Administration function will include the Records Technician. All injuries and liability issues involving Communications personnel will be reported to and documented by this function.

   b. Responsibilities:

      (1) Recording personnel time by logging employee's hours and completing payroll entries and documenting any other expenses related to the critical incident.

      (2) Coordinating with the logistics function to procure and purchase equipment, perishables or other required resources to sustain operations during extended incidents.

      (3) Documenting expenditures on resource request forms

7. After-Action Reports

   a. The Incident Commander is responsible for completing a written after action report for critical incidents for events when the Emergency Operations Plan has been activated. The After-Action report will include, at a minimum:

      (1) The nature or circumstances causing the plan to be activated;

      (2) Specific components or resources within the plan which were utilized;

      (3) The impact of command and supervisory actions;

      (4) Area where future operational or administrative improvements should be considered

8. Annual Review of the Emergency Operations Plan

   a. Annually, the Chief of Police will conduct a review of the Emergency Operations Plan. This review will be conducted collaboratively with the Command Staff

and the Communications Supervisor. To assist personnel with the review of the EOP, the agency will review and analyze any after action reports that have been completed during the prior year.

9. Training

a. Annual Training

(1) On an annual basis the employees of Emporia Police Department's Emergency Communications Center will receive documented training on the agency's all-hazard plan and the communications center emergency operations plan, to include the Incident Command System for all police department personnel.

b. Biennial Training:

(1) The Emporia Police Department will conduct tabletop or practical exercises if resources are available on a biennial basis on the Department's All-Hazard Plan to include the Incident Command System. This biennial training will include members of the E-911 Communication Center. If a practical exercise is conducted it would be in conjunction with other agencies in the community, or in-house only to prepare for an actual up-coming event.

35.3 COMMUNICATIONS FACILITY

35.3.1 COMMUNICATIONS CENTER SECURITY

A. The Communications Center is an essential component of department operations. The security of the center is critical to ensuring that department operations proceed unimpeded and that confidential information is not improperly disseminated.

B. Visitors

1. The Communications Center is to be considered a secure area and only authorized department personnel on official business shall be permitted access to the center. Department personnel should not socialize or otherwise congregate within the Communications Center and all off-duty Communications personnel should not loiter in the Communications Center.

2. Security of the Communications Center shall be the responsibility of all communications personnel. Supervisors, including the Communications Supervisors, will be responsible to see that non-communications personnel do not loiter in the Communications Center.

3. Officers will conduct business with the Communications Center either at the main window or at the door. No officers are permitted in the Communications Center, except if they are assigned to the Communications Center for training or filling in for a communications officer.

4. Off duty employees will not loiter in the Communications Center. Employees shall not have visitors on a regular basis. If urgent business requires an employee to have a visitor they must meet in the lobby, or with prior approval of the Communications Supervisors or the on-duty patrol supervisor, another location within the department.

5. Visitor and visitor tours shall be allowed access to the Communications Center only when prior arrangements have been made in advance with the Administrative Services Manager or Communications Supervisors or the shift commander on duty that day. These tours shall be arranged so that normal operation of the Communications Center shall not be hindered. The tours will be conducted using as little time as possible and keeping the noise level to a minimum.

C. As a general rule, only members of the Communications Staff should be in Communications Center.

D. The Communications Center is a secured facility which houses warrants, capias, protective orders and all NCIC/VCIN entry files. The original agency files will not leave the Communications Center.

E. All agency records that housed in the Communications Center will be release in accordance with General Order 30.2-Virginia Freedom of Information Act (FOIA).

F. The Administrative Services Manager shall ensure that all transmission lines, antenna lines, antenna towers and radio and base station equipment are secure from unauthorized access.

G. The Administrative Services Manager and his/her designee shall maintain the radio system and ensure that the backup system is in proper working order. All Communications Officers will be trained in the utilization of the primary and backup systems.

H. Building Access

1. The entire police building, except for the public lobby area, is to be considered a secure area. Access to this area is controlled by locked doors with access codes.

2. The Police Department building is a secured facility. All persons with business at the Police Department will utilized the intercom system at the front door of the Police Department. The Communications Center will respond to individuals needing assistance through the intercom system.

3. Once an individual is granted access into the Police Department, then they will need to be escorted by the employee who has granted the individual access until they leave the building.

4. No individuals outside of the Police Department will have full access within the building, unless they are contract workers conducting business for the Police Department.

5. Supervisors have the authority to restrict access to department employees during unusual or emergency situations.

6. Protection of Equipment

a. The radio tower and the exterior of the police department secured within a security fence and are monitored by Communications personnel via close circuit television cameras mounted on the outside of the building.

35.3.2 EMERGENCY BACKUP COMMUNICATIONS EQUIPMENT

A. Back-up resources are provided for facilities and equipment. In the event of a catastrophe, Communications operations can be moved to the Greensville County Sheriff's Office Communications Center until Communications operations can be restored.

B. The department radio system can operate via in-car radios and portable radios in the event the centers primary radios became disabled.

35.3.3 EMERGENCY BACKUP POWER SUPPLY

A. The Emporia Police Department alternate power source generator is automatically activated as a backup resource in the event regular power sources are disabled. The generator is located behind the Police Department building and is physically protected from tampering or destruction by enclosed steel housing with locked access panels. The generator is located behind a lock fence and is under surveillance, which is viewed on the monitor in the Communications Center.

B. In the event of a primary power failure, emergency power for the Emporia Police Department critical load is supplied by the Uninterrupted Power Source (UPS), until the emergency generator comes on-line and assumes the load. The UPS is housed in a secured area of the Police Department.

C. Emergency Back-Up Generator Tests and Inspections:

1. The emergency generator will automatically test itself on a weekly basis.

2. The emergency generator will be tested quarterly using a full load test and is documented by an email sent by the vendor conducting the test to an administrative staff member of the police department.

3. At least annually, the vendor of the emergency back-up generator will conduct a preventive maintenance inspection to ensure that the unit is good working condition.

35.3.4 MOBILE/PORTABLE RADIO CAPABILITIES

A. The department has in-car mobile and portable radios capable of accessing the surrounding agencies which include, but not limited too;

1. City of Emporia Departments;

2. Fire and Rescue of Emporia-Greensville County;

3. The Emporia Police Department portable radios maintained in the Communications Center;

4. The Greensville County Sheriff's Office; *and*

5. Other law enforcement agencies via the SIRS the statewide law enforcement interoperability network.

B. In addition, the Communications center has the ability to directly communicate with other neighboring law enforcement agencies via a point-to-point communications network.

C. The Administrative Services Manager will ensure that the Communications Center is equipped with a copy of the *Dispatcher's Guide to Crimes/ Incidents in Progress*, *Desk Reference Manual*. The Communications Supervisors shall also maintain user manuals on file for the radio console, teletype machine and the computer terminals. All personnel shall follow the guidelines set forth in these manuals. EPD General Orders will supersede the preceding manuals. Manuals will be filed in the Communications Center for immediate accessibility by Communications Officers. Teletype messages shall be read as soon as possible after they have been received in the Communications Center. Applicable information therein will be relayed immediately, if necessary.

35.3.5 INDEPENDENT BACK-UP COMMUNICATIONS SYSTEM

A. The Emporia Police Department and the Greensville County Sheriff's Office share a Computer-Aided Dispatch and Records Management System.

B. On occasions when either agency's communication system fails then the other agency will become primary for the other agency until the problem has been corrected.

1. Each secured location has a separate antennae system with back-up emergency power source.

C. Since the Emporia Police Department's Communication Center's independent back-up communications system is the Greensville County Sheriff's Communication Center and operates 24/7, the assigned daylight communications officer will complete documented testing on a monthly basis on a CAD Event. The testing can be accomplished by producing CAD event reports and radio traffic to show that the Greensville County Sheriff's Office Communication Center is functioning.

35.3.6 EVACUATION PLAN

A. Process for Evacuation of the Communications Center

1. The emergency evacuation plan will be implemented in the event that the Communications Center is unable to perform the critical functions that are vital to the delivery of public safety services. Examples of such incidents may be:

a. Bomb in the Police Headquarters;

b. Fire;

c. Major damage from a tornado or other natural or man-made disasters;

2. The on-duty supervisor will assess the threat and make the decision to evacuate.

3. The evacuation plan assumes the following:

a. that there is a five-minute window between the emergency occurrence and the need to physically evacuate the building;

b. that we will be able to join and utilize a part of the Greensville County Sheriff's Office as the main back-up facility located at 174 Uriah Branch Way, Emporia, Virginia or the City of Emporia Municipal Building as the secondary back-up, which is located at 201 South Main Street, Emporia, Virginia.

4. The Administrative Services Manager or Communications Supervisors will modify this procedure to account for the need to immediately evacuate. SAFETY COMES FIRST—NOT NOTIFICATIONS.

5. The Communications Officer will enter a call for the incident occurring at the Police Department into CAD and dispatching Fire/Rescue and Police units. Notify the on-duty police supervisor and the Fire Chief of the evacuation.

6. Non-emergency phone calls will not be answered at this time.

7. The Communications Supervisor will make contact with Command 1 at the Virginia State Police to reroute all VCIN traffic to the Greensville County PSAP terminal at the following phone number 1-804-647-2028.

8. The Communications Supervisor will ensure that Communications Officers have their cell phones and collect portable radios and batteries.

9. Communications Officers will exit the building through either the front door or if the front door is unavailable then exit of the building will be at the rear of the building.

10. The Administrative Services Manager will ensure that all Communications personnel are accounted for during the evacuation. Depending upon the number of communications personnel that the Greensville County Sheriffs can accommodate those number of communications personnel will transport themselves to the Greensville County Sheriff's Office. If those communications personnel are unable to transport themselves to the Sheriff's Office, then the Administrative Services Manager will ensure that communications personnel are transported to the Sheriff's Office.

B. Transfer of Responsibilities and Services to an Alternate Site

1. Notify Verizon at 1-800-773-7911 to transfer phone lines to the Greensville County Sheriff's Office.

2. Notify the Greensville County Sheriff's Office that we are evacuating and will be sending personnel to their facility.

Ascertain from Greensville County the number of radio console positions available. Ensure that calls for service are being received at the Sheriff's Office prior to arriving at their Communications Center.

3. Call or teletype VCIN and request that a statewide message be sent reference our evacuation. Teletype the message to the VCIN Terminal Address-CMD1 or call 1-804-647-2028 and the Virginia State Police will conduct a statewide broadcast.

4. Communications Officers will take a copy of lineups and CAD report printouts, emergency evacuation kits.

5. Communications Personnel not able to be accommodated at the Sheriff's Office will take the back-up equipment to the Municipal Building and will serve as a back-up to the communications personnel located at the Greensville County Sheriff's Office.

6. As soon as possible, communications personnel will conduct a radio roll call of all city units.

7. Notify the Administrative Services Manager and the Communications Supervisors, if they are off-duty or not on the scene at the time of the evacuation.

8. If Communications personnel are stationed at the Greensville County Sheriff's Office, then the same procedure for entering and dispatching calls for service will remain the same, due to the fact that each Communication Center has the same CAD/RMS systems. If communications personnel need to station at the Municipal Building, then all calls for service will be documented manually and will be entered into the CAD system at a later time.

9. Should our Communications personnel relocate to the Greensville County Sheriff's Office due to an equipment failure or evacuation of our Communications Center, the chain of command will remain the same (reporting to the Communications Supervisor, then to the Administrative Services Manager, to the Major and the Chief of Police). This applies to matters involving our protocols and dispatching.

10. In matters of safety and logistics at the Greensville County Sheriff's Office, police department personnel will abide by

all rules and regulations that apply to the Greensville County Sheriff's Office.

11. The Administrative Services Manager will determine how to restore shift assignments based upon the time of the day and personnel on duty.

C. Restoration of Normal Operations

1. Communications personnel will remain at the back-up facility until they are directed by the Administrative Services Manager to return to the Communications Center.

a. The following steps will be used as a guide to restore operations:

(1) A site evaluation will be completed at the Communications Center and the Police Department to ensure all risks and liability issues have been eradicated or resolved.

(2) A comprehensive inspection will be completed to ensure all equipment is functional and all environmental conditions are acceptable.

(3) In the event of a disaster, the Communications Center will coordinate its recovery efforts with the Police and Fire Departments and surrounding agencies and PSAP's. If able Communications personnel will assist other agencies with their recovery efforts.

(4) The Administrative Services Manager will coordinate the transportation of Communications personnel back to the Emporia Police Department.

(5) When staffing is sufficient to operate normally, Verizon will be contacted and requested to re-route the phone lines back to the Communications Center 1-800-773-7911.

(6) A teletype message will be sent to VCIN advising that normal operations have resumed.

(7) A radio roll call will be completed for City and Fire department units.

(8) Any calls for service that were needed to be handled manually will need to be entered into the CAD system.

(9) A radio broadcast will be transmitted to all units advising that normal operations have resumed.

(10) All emergency issued equipment/evacuation kits will be returned to storage and checked for damage and inventoried by the Administrative Services Manager. Any used supplies will be replenished. Any damaged supplies will be repaired or replaced.

D. Documented Annual Training Exercise

1. On an annual basis, the Emporia Police Department E-911 Communications Center will conduct training on the evacuation plan with all affected personnel;

2. However, If the E-911 Communications Center has an occurrence; whereby, an incident occurs for the Communication Center needs to be evacuate to the Greensville County Sheriff's Office E-911 Communications Center, then the actual evacuation and after action report will serve as documentation and the training for that year will not need to be conducted.

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2. The on-duty supervisor will assess the threat and make the decision to evacuate.

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4. The Support Division Commander or Communications Supervisor will modify this procedure to account for the need to immediately evacuate. SAFETY COMES FIRST—NOT NOTIFICATIONS.

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7. The Communications Supervisor will make contact with Command 1 at the Virginia State Police to reroute all VCIN traffic to the Greensville County PSAP terminal at the following phone number 1-804-647-2028.

8. The Communications Supervisor will ensure that Communications Officers have their cell phones and collect portable radios and batteries.

9. Communications Officers will exit the building through either the front door or if the front door is unavailable then exit of the building will be at the rear of the building.

10. The Support Division Commander will ensure that all Communications personnel are accounted for during the evacuation. Depending upon the number of communications personnel that the Greensville County Sheriffs can accommodate those number of communications personnel will transport themselves to the Greensville County Sheriff's Office. If those communications personnel are unable to transport themselves to the Sheriff's Office, then the Support Division Commander will ensure that communications personnel are transported to the Sheriff's Office.

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6. As soon as possible, communications personnel will conduct a radio roll call of all city units.

7. Notify the Support Division Commander and the Communications Supervisor, if they are off-duty or not on the scene at the time of the evacuation.

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H. Building Access

1. The entire police building, except for the public lobby area, is to be considered a secure area. Access to this area is controlled by locked doors with access codes.

2. The Police Department building is a secured facility. All persons with business at the Police Department will utilized the intercom system at the front door of the Police Department. The Communications Center will respond to individuals needing assistance through the intercom system.

3. Once an individual is granted access into the Police Department, then they will need to be escorted by the employee who has granted the individual access until they leave the building.

4. No individuals outside of the Police Department will have full access within the building, unless they are contract workers conducting business for the Police Department.

5. Supervisors have the authority to restrict access to department employees during unusual or emergency situations.

6. Protection of Equipment

a. The radio tower and the exterior of the police department secured within a security fence and are monitored by Communications personnel via close circuit television cameras mounted on the outside of the building.

35.3.2 EMERGENCY BACKUP COMMUNICATIONS EQUIPMENT

A. Back-up resources are provided for facilities and equipment. In the event of a catastrophe, Communications operations can be moved to the Greensville County Sheriff's Office Communications Center until Communications operations can be restored.

B. The department radio system can operate via in-car radios and portable radios in the event the centers primary radios became disabled.

35.3.3 EMERGENCY BACKUP POWER SUPPLY

A. The Emporia Police Department alternate power source generator is automatically activated as a backup resource in the event regular power sources are disabled. The generator is located behind the Police Department building and is physically protected from tampering or destruction by enclosed steel housing with locked access panels. The generator is located behind a lock fence and is under surveillance, which is viewed on the monitor in the Communications Center.

B. In the event of a primary power failure, emergency power for the Emporia Police Department critical load is supplied by the Uninterrupted Power Source (UPS), until the emergency generator comes on-line and assumes the load. The UPS is housed in a secured area of the Police Department.

C. Emergency Back-Up Generator Tests and Inspections:

1. The emergency generator will automatically test itself on a weekly basis.

2. The emergency generator will be tested quarterly using a full load test and is documented by an email sent by the vendor conducting the test to an administrative staff member of the police department.

3. At least annually, the vendor of the emergency back-up generator will conduct a preventive maintenance inspection to ensure that the unit is good working condition.

35.3.4 MOBILE/PORTABLE RADIO CAPABILITIES

A. The department has in-car mobile and portable radios capable of accessing the surrounding agencies which include, but not limited too;

1. City of Emporia Departments;

2. Fire and Rescue of Emporia-Greensville County;

3. The Emporia Police Department portable radios maintained in the Communications Center;

4. The Greensville County Sheriff's Office; *and*

5. Other law enforcement agencies via the SIRS the statewide law enforcement interoperability network.

B. In addition, the Communications center has the ability to directly communicate with other neighboring law enforcement agencies via a point-to-point communications network.

C. The Administrative Services Manager will ensure that the Communications Center is equipped with a copy of the *Dispatcher's Guide to Crimes/ Incidents in Progress*, *Desk Reference Manual*. The Communications Supervisors shall also maintain user manuals on file for the radio console, teletype machine and the computer terminals. All personnel shall follow the guidelines set forth in these manuals. EPD General Orders will supersede the preceding manuals. Manuals will be filed in the Communications Center for immediate accessibility by Communications Officers. Teletype messages shall be read as soon as possible after they have been received in the Communications Center. Applicable information therein will be relayed immediately, if necessary.

35.3.5 INDEPENDENT BACK-UP COMMUNICATIONS SYSTEM

A. The Emporia Police Department and the Greensville County Sheriff's Office share a Computer-Aided Dispatch and Records Management System.

B. On occasions when either agency's communication system fails then the other agency will become primary for the other agency until the problem has been corrected.

1. Each secured location has a separate antennae system with back-up emergency power source.

C. Since the Emporia Police Department's Communication Center's independent back-up communications system is the Greensville County Sheriff's Communication Center and operates 24/7, the assigned daylight communications officer will complete documented testing on a monthly basis on a CAD Event. The testing can be accomplished by producing CAD event reports and radio traffic to show that the Greensville County Sheriff's Office Communication Center is functioning.

35.3.6 EVACUATION PLAN

A. Process for Evacuation of the Communications Center

1. The emergency evacuation plan will be implemented in the event that the Communications Center is unable to perform the critical functions that are vital to the delivery of public safety services. Examples of such incidents may be:

a. Bomb in the Police Headquarters;

b. Fire;

c. Major damage from a tornado or other natural or man-made disasters;

2. The on-duty supervisor will assess the threat and make the decision to evacuate.

3. The evacuation plan assumes the following:

a. that there is a five-minute window between the emergency occurrence and the need to physically evacuate the building;

b. that we will be able to join and utilize a part of the Greensville County Sheriff's Office as the main back-up facility located at 174 Uriah Branch Way, Emporia, Virginia or the City of Emporia Municipal Building as the secondary back-up, which is located at 201 South Main Street, Emporia, Virginia.

4. The Administrative Services Manager or Communications Supervisors will modify this procedure to account for the need to immediately evacuate. SAFETY COMES FIRST—NOT NOTIFICATIONS.

5. The Communications Officer will enter a call for the incident occurring at the Police Department into CAD and dispatching Fire/Rescue and Police units. Notify the on-duty police supervisor and the Fire Chief of the evacuation.

6. Non-emergency phone calls will not be answered at this time.

7. The Communications Supervisor will make contact with Command 1 at the Virginia State Police to reroute all VCIN traffic to the Greensville County PSAP terminal at the following phone number 1-804-647-2028.

8. The Communications Supervisor will ensure that Communications Officers have their cell phones and collect portable radios and batteries.

9. Communications Officers will exit the building through either the front door or if the front door is unavailable then exit of the building will be at the rear of the building.

10. The Administrative Services Manager will ensure that all Communications personnel are accounted for during the evacuation. Depending upon the number of communications personnel that the Greensville County Sheriffs can accommodate those number of communications personnel will transport themselves to the Greensville County Sheriff's Office. If those communications personnel are unable to transport themselves to the Sheriff's Office, then the Administrative Services Manager will ensure that communications personnel are transported to the Sheriff's Office.

B. Transfer of Responsibilities and Services to an Alternate Site

1. Notify Verizon at 1-800-773-7911 to transfer phone lines to the Greensville County Sheriff's Office.

2. Notify the Greensville County Sheriff's Office that we are evacuating and will be sending personnel to their facility.

Ascertain from Greensville County the number of radio console positions available. Ensure that calls for service are being received at the Sheriff's Office prior to arriving at their Communications Center.

3. Call or teletype VCIN and request that a statewide message be sent reference our evacuation. Teletype the message to the VCIN Terminal Address-CMD1 or call 1-804-647-2028 and the Virginia State Police will conduct a statewide broadcast.

4. Communications Officers will take a copy of lineups and CAD report printouts, emergency evacuation kits.

5. Communications Personnel not able to be accommodated at the Sheriff's Office will take the back-up equipment to the Municipal Building and will serve as a back-up to the communications personnel located at the Greensville County Sheriff's Office.

6. As soon as possible, communications personnel will conduct a radio roll call of all city units.

7. Notify the Administrative Services Manager and the Communications Supervisors, if they are off-duty or not on the scene at the time of the evacuation.

8. If Communications personnel are stationed at the Greensville County Sheriff's Office, then the same procedure for entering and dispatching calls for service will remain the same, due to the fact that each Communication Center has the same CAD/RMS systems. If communications personnel need to station at the Municipal Building, then all calls for service will be documented manually and will be entered into the CAD system at a later time.

9. Should our Communications personnel relocate to the Greensville County Sheriff's Office due to an equipment failure or evacuation of our Communications Center, the chain of command will remain the same (reporting to the Communications Supervisor, then to the Administrative Services Manager, to the Major and the Chief of Police). This applies to matters involving our protocols and dispatching.

10. In matters of safety and logistics at the Greensville County Sheriff's Office, police department personnel will abide by

all rules and regulations that apply to the Greensville County Sheriff's Office.

11. The Administrative Services Manager will determine how to restore shift assignments based upon the time of the day and personnel on duty.

C. Restoration of Normal Operations

1. Communications personnel will remain at the back-up facility until they are directed by the Administrative Services Manager to return to the Communications Center.

a. The following steps will be used as a guide to restore operations:

(1) A site evaluation will be completed at the Communications Center and the Police Department to ensure all risks and liability issues have been eradicated or resolved.

(2) A comprehensive inspection will be completed to ensure all equipment is functional and all environmental conditions are acceptable.

(3) In the event of a disaster, the Communications Center will coordinate its recovery efforts with the Police and Fire Departments and surrounding agencies and PSAP's. If able Communications personnel will assist other agencies with their recovery efforts.

(4) The Administrative Services Manager will coordinate the transportation of Communications personnel back to the Emporia Police Department.

(5) When staffing is sufficient to operate normally, Verizon will be contacted and requested to re-route the phone lines back to the Communications Center 1-800-773-7911.

(6) A teletype message will be sent to VCIN advising that normal operations have resumed.

(7) A radio roll call will be completed for City and Fire department units.

(8) Any calls for service that were needed to be handled manually will need to be entered into the CAD system.

(9) A radio broadcast will be transmitted to all units advising that normal operations have resumed.

(10) All emergency issued equipment/evacuation kits will be returned to storage and checked for damage and inventoried by the Administrative Services Manager. Any used supplies will be replenished. Any damaged supplies will be repaired or replaced.

D. Documented Annual Training Exercise

1. On an annual basis, the Emporia Police Department E-911 Communications Center will conduct training on the evacuation plan with all affected personnel;

2. However, If the E-911 Communications Center has an occurrence; whereby, an incident occurs for the Communication Center needs to be evacuate to the Greensville County Sheriff's Office E-911 Communications Center, then the actual evacuation and after action report will serve as documentation and the training for that year will not need to be conducted.

35.3 COMMUNICATIONS FACILITY

35.3.1 COMMUNICATIONS CENTER SECURITY

A. The Communications Center is an essential component of department operations. The security of the center is critical to ensuring that department operations proceed unimpeded and that confidential information is not improperly disseminated.

B. Visitors

1. The Communications Center is to be considered a secure area and only authorized department personnel on official business shall be permitted access to the center. Department personnel should not socialize or otherwise congregate within the Communications Center and all off-duty Communications personnel should not loiter in the Communications Center.

2. Security of the Communications Center shall be the responsibility of all communications personnel. Supervisors, including the Communications Supervisor, will be responsible to see that non-communications personnel do not loiter in the Communications Center.

3. Officers will conduct business with the Communications Center either at the main window or at the door. No officers are permitted in the Communications Center, except if they are assigned to the Communications Center for training or filling in for a communications officer.

4. Off duty employees will not loiter in the Communications Center. Employees shall not have visitors on a regular basis. If urgent business requires an employee to have a visitor they must meet in the lobby, or with prior approval of the Communications supervisor or the on-duty patrol supervisor, another location within the department.

5. Visitor and visitor tours shall be allowed access to the Communications Center only when prior arrangements have been made in advance with the Communications supervisor or the shift commander on duty that day. These tours shall be arranged so that normal operation of the Communications Center shall not be hindered. The tours will be conducted using as little time as possible and keeping the noise level to a minimum.

C. As a general rule, only members of the Communications Staff should be in Communications Center.

D. The Communications Center is a secured facility which houses warrants, capias, protective orders and all NCIC/VCIN entry files. The original agency files will not leave the Communications Center.

E. All agency records that housed in the Communications Center will be release in accordance with General Order 30.2-Virginia Freedom of Information Act (FOIA).

F. The Support Division Commander shall ensure that all transmission lines, antenna lines, antenna towers and radio and base station equipment are secure from unauthorized access.

G. The Support Division Commander and his/her designee shall maintain the radio system and ensure that the backup system is in proper working order. All Communications Officers will be trained in the utilization of the primary and backup systems.

H. Building Access

1. The entire police building, except for the public lobby area, is to be considered a secure area. Access to this area is controlled by locked doors with access codes.

2. The Police Department building is a secured facility. All persons with business at the Police Department will utilized the intercom system at the front door of the Police Department. The Communications Center will respond to individuals needing assistance through the intercom system.

3. Once an individual is granted access into the Police Department, then they will need to be escorted by the employee who has granted the individual access until they leave the building.

4. No individuals outside of the Police Department will have full access within the building, unless they are contract workers conducting business for the Police Department.

5. Supervisors have the authority to restrict access to department employees during unusual or emergency situations.

6. Protection of Equipment

a. The radio tower and the exterior of the police department secured within a security fence and are monitored by Communications personnel via close circuit television cameras mounted on the outside of the building.

35.3.2 EMERGENCY BACKUP COMMUNICATIONS EQUIPMENT

A. Back-up resources are provided for facilities and equipment. In the event of a catastrophe, Communications operations can be moved to the Greensville County Sheriff's Office Communications Center until Communications operations can be restored.

B. The department radio system can operate via in-car radios and portable radios in the event the centers primary radios became disabled.

35.3.3 EMERGENCY BACKUP POWER SUPPLY

A. The Emporia Police Department alternate power source generator is automatically activated as a backup resource in the event regular power sources are disabled. The generator is located behind the Police Department building and is physically protected from tampering or destruction by enclosed steel housing with locked access panels. The generator is located behind a lock fence and is under surveillance, which is viewed on the monitor in the Communications Center.

B. In the event of a primary power failure, emergency power for the Emporia Police Department critical load is supplied by the Uninterrupted Power Source (UPS), until the emergency generator comes on-line and assumes the load. The UPS is housed in a secured area of the Police Department.

C. Emergency Back-Up Generator Tests and Inspections:

1. The emergency generator will automatically test itself on a weekly basis.

2. The emergency generator will be tested quarterly using a full load test and is documented inside of the generator.

3. At least annually, the vendor of the emergency back-up generator will conduct a preventive maintenance inspection to ensure that the unit is good working condition.

35.3.4 MOBILE/PORTABLE RADIO CAPABILITIES

A. The department has in-car mobile and portable radios capable of accessing the surrounding agencies which include, but not limited too;

1. City of Emporia Departments;

2. Fire and Rescue of Emporia-Greensville County;

3. The Emporia Police Department portable radios maintained in the Communications Center;

4. The Greensville County Sheriff's Office; *and*

5. Other law enforcement agencies via the SIRS the statewide law enforcement interoperability network.

B. In addition, the Communications center has the ability to directly communicate with other neighboring law enforcement agencies via a point-to-point communications network.

C. The Support Division Commander will ensure that the Communications Center is equipped with a copy of the *Dispatcher's Guide to Crimes/ Incidents in Progress*, *Desk Reference Manual*. The Communications Supervisor shall also maintain user manuals on file for the radio console, teletype machine and the computer terminals. All personnel shall follow the guidelines set forth in these manuals. EPD General Orders will supersede the preceding manuals. Manuals will be filed in the Communications Center for immediate accessibility by Communications Officers. Teletype messages shall be read as soon as possible after they have been received in the Communications Center. Applicable information therein will be relayed immediately, if necessary.

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A. The Emporia Police Department and the Greensville County Sheriff's Office share a Computer-Aided Dispatch and Records Management System.

B. On occasions when either agency's communication system fails then the other agency will become primary for the other agency until the problem has been corrected.

1. Each secured location has a separate antennae system with back-up emergency power source.

C. Since the Emporia Police Department's Communication Center's independent back-up communications system is the Greensville County Sheriff's Communication Center and operates 24/7, the documented testing is completed on a daily basis by producing CAD event reports and radio traffic to show that the Greensville County Sheriff's Office Communication Center is functioning.

35.3.6 EVACUATION PLAN

A. Process for Evacuation of the Communications Center

1. The emergency evacuation plan will be implemented in the event that the Communications Center is unable to perform the critical functions that are vital to the delivery of public safety services. Examples of such incidents may be:

   a. Bomb in the Police Headquarters;

   b. Fire;

   c. Major damage from a tornado or other natural or man-made disasters;

2. The on-duty supervisor will assess the threat and make the decision to evacuate.

3. The evacuation plan assumes the following:

   a. that there is a five-minute window between the emergency occurrence and the need to physically evacuate the building;

   b. that we will be able to join and utilize a part of the Greensville County Sheriff's Office as the main back-up facility located at 174 Uriah Branch Way, Emporia, Virginia or the City of Emporia Municipal Building as the secondary back-up, which is located at 201 South Main Street, Emporia, Virginia.

4. The Support Division Commander or Communications Supervisor will modify this procedure to account for the need to immediately evacuate. SAFETY COMES FIRST—NOT NOTIFICATIONS.
5. The Communications Officer will enter a call for the incident occurring at the Police Department into CAD and dispatching Fire/Rescue and Police units. Notify the on-duty police supervisor and the Fire Chief of the evacuation.

6. Non-emergency phone calls will not be answered at this time.

7. The Communications Supervisor will make contact with Command 1 at the Virginia State Police to reroute all VCIN traffic to the Greensville County PSAP terminal at the following phone number 1-804-647-2028.

8. The Communications Supervisor will ensure that Communications Officers have their cell phones and collect portable radios and batteries.

9. Communications Officers will exit the building through either the front door or if the front door is unavailable then exit of the building will be at the rear of the building.

10. The Support Division Commander will ensure that all Communications personnel are accounted for during the evacuation. Depending upon the number of communications personnel that the Greensville County Sheriffs can accommodate those number of communications personnel will transport themselves to the Greensville County Sheriff's Office. If those communications personnel are unable to transport themselves to the Sheriff's Office, then the Support Division Commander will ensure that communications personnel are transported to the Sheriff's Office.

B. Transfer of Responsibilities and Services to an Alternate Site

1. Notify Verizon at 1-800-773-7911 to transfer phone lines to the Greensville County Sheriff's Office.

2. Notify the Greensville County Sheriff's Office that we are evacuating and will be sending personnel to their facility. Ascertain from Greensville County the number of radio console positions available. Ensure that calls for service are being received at the Sheriff's Office prior to arriving at their Communications Center.

3. Call or teletype VCIN and request that a statewide message be sent reference our evacuation. Teletype the message to the VCIN Terminal Address-CMD1 or call 1-804-647-2028 and the Virginia State Police will conduct a statewide broadcast.

4. Communications Officers will take a copy of lineups and CAD report printouts, emergency evacuation kits.

5. Communications Personnel not able to be accommodated at the Sheriff's Office will take the back-up equipment to the Municipal Building and will serve as a back-up to the communications personnel located at the Greensville County Sheriff's Office.

6. As soon as possible, communications personnel will conduct a radio roll call of all city units.

7. Notify the Support Division Commander and the Communications Supervisor, if they are off-duty or not on the scene at the time of the evacuation.

8. If Communications personnel are stationed at the Greensville County Sheriff's Office, then the same procedure for entering and dispatching calls for service will remain the same, due to the fact that each Communication Center has the same CAD/RMS systems. If communications personnel need to station at the Municipal Building, then all calls for service will be documented manually and will be entered into the CAD system at a later time.

9. Should our Communications personnel relocate to the Greensville County Sheriff's Office due to an equipment failure or evacuation of our Communications Center, the chain of command will remain the same (reporting to the Communications Supervisor, then to the Support Division Commander, to the Major and the Chief of Police). This applies to matters involving our protocols and dispatching.

10. In matters of safety and logistics at the Greensville County Sheriff's Office, police department personnel will abide by all rules and regulations that apply to the Greensville County Sheriff's Office.

11. The Support Division Commander will determine how to restore shift assignments based upon the time of the day and personnel on duty.

C. Restoration of Normal Operations

1. Communications personnel will remain at the back-up facility until they are directed by Support Division Commander to return to the Communications Center.

a. The following steps will be used as a guide to restore operations:

(1) A site evaluation will be completed at the Communications Center and the Police Department to ensure all risks and liability issues have been eradicated or resolved.

(2) A comprehensive inspection will be completed to ensure all equipment is functional and all environmental conditions are acceptable.

(3) In the event of a disaster, the Communications Center will coordinate its recovery efforts with the Police and Fire Departments and surrounding agencies and PSAP's. If able Communications personnel will assist other agencies with their recovery efforts.

(4) The Support Division Commander will coordinate the transportation of Communications personnel back to the Emporia Police Department.

(5) When staffing is sufficient to operate normally, Verizon will be contacted and requested to re-route the phone lines back to the Communications Center 1-800-773-7911.

(6) A teletype message will be sent to VCIN advising that normal operations have resumed.

(7) A radio roll call will be completed for City and Fire department units.

(8) Any calls for service that were needed to be handled manually will need to be entered into the CAD system.

(9) A radio broadcast will be transmitted to all units advising that normal operations have resumed.

(10) All emergency issued equipment/evacuation kits will be returned to storage and checked for damage and inventoried by the Support

Division Commander. Any used supplies will be replenished. Any damaged supplies will be repaired or replaced.

D. Documented Annual Training Exercise

1. On an annual basis, the Emporia Police Department E-911 Communications Center will conduct training on the evacuation plan with all affected personnel;

2. However, If the E-911 Communications Center has an occurrence; whereby, an incident occurs for the Communication Center needs to be evacuate to the Greensville County Sheriff's Office E-911 Communications Center, then the actual evacuation and after action report will serve as documentation and the training for that year will not need to be conducted.

36.1 CENTRAL RECORDS

36.1.1 RECORDS SECURITY AND PRIVACY

A. Employees granted access to the Records Management System shall be issued a username and password. Users should not allow other users to access the system via their username/password through any intentional or negligent act. Users will be required to change their passwords when prompted by the system every 90 days to prevent unauthorized access to the system.

B. Records storage locations shall be maintained in secured locations. Non-departmental personnel (citizens, contractors, or other city employees) shall not be left unaccompanied in any records storage location

C. The release of information from the Center will be in accordance with the Code of Virginia, 19.2-389, and the Department of Criminal Justice Services (DCJS), *Regulations Relating to Criminal History Records Information Use and Security*. The Administrative Services Manager shall maintain a current and accurate copy of the DCJS regulations in the Center for availability to all employees. Employees with concerns or questions regarding the release of information shall contact the Administrative Services Manager.

D. Dissemination of Criminal History Records – Code of Virginia, § 19.2-389 should be referred to ascertain a requesting individual or agency's legitimacy in requesting criminal history information.

1. This Department has established procedures to query CCRE *prior to* dissemination of any criminal history record information on offenses required to be reported to CCRE, thus insuring the most up-to-date disposition data is being used.

2. The Police Department does not release criminal history information and will direct all inquirers to the CCRE for dissemination for CCRE- reportable crimes.

3. Dissemination of information regarding offenses not required to be reported to CCRE shall be made by this Department as required by Code § 15.2-1722.

4. Department employees shall neither confirm nor deny the existence or non-existence of a criminal history record to persons or agencies that would not be eligible to receive the information.

5. When releasing criminal history records, to law enforcement personnel or all other authorized agencies an entry will be recorded in a ledger located in the Communications Center.

E. Challenge of Records – Individuals may challenge their own criminal history by executing and submitting the *Review or Challenge of Criminal History Record Information* form to this Department, with a copy of the form sent to the Chief of Police.

1. A copy of the challenged record may be furnished to the contesting individual and must be marked "Not to be disseminated further except as provided by law."

2. The challenged record will be marked/flagged with the message "Challenged Record." All disseminated records shall contain this message while under challenge.

3. If the challenge pertains to "arrest" information, all relevant files will be examined to determine the validity of the challenge. If no errors are found, the Department will notify the agency where the review and challenge occurred, who will then, in turn, notify the individual or his/her attorney.

4. If the challenged record pertains to the disposition information, this Department will compare the contents of challenge with the information supplied by the Clerk of Court. If no errors are found, the Department will forward the challenge to the Clerk of Court originating the disposition for examination of the court records pursuant to the challenge. The arresting agency will then notify the individual or his/her attorney of the action.

a. The Clerk of Court shall cause the court records to be compared with the contents of the challenge to determine if discrepancies exist in the disposition segment of the record maintained by the arresting agency of those agencies party to the challenge, or the results and any corrective action.

b. The agency in which the challenge occurred shall notify the individual or his/her attorney of action taken.

F. Persons or agencies requesting criminal history information other than for Emporia convictions shall be referred to the Central Criminal Records Exchange in Richmond, Virginia.

G. Administrative Review – After a review and challenge has been made in either the CCRE or this Department, if dissatisfied with the

challenge, the individual or his/her attorney may submit a written request that the Chief of Police review the challenge. The Chief of Police or his/her designee shall review the challenge and notify the individual or his/her attorney of the decision within thirty (30) days of receipt of the written request.

H. Administrative Appeal – After the administrative review, if dissatisfied with the review response, the individual or his/her attorney may submit a written request (within thirty [30] days of the date of notification of the review results) to the City Manager's Office to review the challenge and conduct an informal hearing which would be directed by the City Manager or his/her designee.

I. Corrections – Should an error be discovered, all known copies of the record(s) (electronic and paper) shall be corrected by notifying the appropriate criminal justice agencies, non- criminal agencies and/or individuals in writing of the correction made. This communication shall include a request for the receiving criminal justice agencies to "notify any and all additional agencies or individuals known to maintain such records and to make the appropriate corrections." Upon written request, an individual or his/her attorney shall be given a name of all non-criminal justice agencies to which the data has been furnished.

36.1.2 JUVENILE CRIMINAL RECORDS

A. The Administrative Services Manager is responsible for the collection, retention and dissemination of juvenile records.

1. The Emporia Police Department will maintain a separate file for juvenile records, even in cases where the same person has a juvenile and an adult record. The Department will clearly distinguish juvenile records in the following methods:

   a. In the Records Management System, the wording "Juvenile" is clearly distinguished on the RMS screen.

   b. The Emporia Police Department case management system utilizes color coded folders for misdemeanors, felonies and juvenile crimes.

   c. Once a juvenile investigative case folder has either been adjudicated in court or has been classified as inactive, case management will file the contents of the juvenile investigative folder in a white case management storage envelope clearly marked "juvenile."

2. Juvenile investigative case files are securely stored in the case management file cabinets and then store long term in the records storage room.

3. The Department will maintain all juvenile records and reports until expiration of the Records Retention Schedule.

4. When the Emporia Police Department receives an expungement order from the Juvenile and Domestic Relations Court, the Administrative Services Manager shall remove all juvenile criminal records from the Records Management System and any hard copies that are in possession of the Emporia Police Department. The expunged records will be securely stored in the administrative files of the Office of the Chief of Police.

5. Juvenile Fingerprints and Photographs – Fingerprints and photographs and other identification of juvenile offenders shall be collected in accordance with Virginia State Code 16.1-299 and General Order 25.2.2 (D). Once taken, the fingerprints and photographs are transported to the Juvenile and Domestic Relations Court for storage in accordance with Virginia State Code 16.1-299.

6. Notification of the Public School System – In accordance with Virginia State Code 22.1-279.3:1 the Department will contact the School Superintendent and Principal when students are involved in certain offenses contained in the above code section.

36.1.3 RECORDS RETENTION SCHEDULE

A. The Administrative Services Manager is responsible for records retention and disposition general schedule for the EPD in accordance with the Code of Virginia, 42.1-76, *The Virginia Public Records Act*. No records are to be retained, transferred, and destroyed or otherwise disposed of in violation of this schedule. Any questions concerning record retention should be addressed to the Administrative Services Manager.

36.1.4 UNIFORM CRIME REPORTING

A. All reports shall be submitted no later than the 3rd day of each month to ensure proper UCR reporting to the Virginia State Police.

B. Supervisors shall ensure the timely filing of reports of investigations that may change the type or status of an event.

C. The Emporia Police Department shall submit their Uniform Crime Report (UCR) data to the Virginia State Police's secured website by the 15th of each month. Final reports must be filed prior to the due date as set by the Virginia State Police.

36.1.5 RECORDS ACCESSIBILITY

A. Records and Communications Center personnel have access to central records information and are capable of forwarding that information to operational personnel upon request.

36.1.6 EXPUNGED RECORDS

A. Petition for Expungement - In compliance with Code of Virginia, § 19.2-392.2, upon receipt of a petition for expungement, this Department will complete one set of the petitioner's fingerprints and shall submit the fingerprint card along with a copy of the petition to CCRE. The records are not altered or removed.

B. Expungement of Records - Upon receipt of an order of expungement and directive from the Virginia State Police, this Department will remove the affected records from all sources (electronic and paper file) and gathered for sealing. Prior to sealing the record, the identifying data will be added to the index of expunged records for future reference and an index number assigned. It is helpful, though not required, to include the court of jurisdiction. Once the record is sealed and the index number placed in the upper right-hand corner of the envelope, a label or printed statement must be affixed to the front of the envelope stating:

"EXPUNGED RECORD TO BE UNSEALED ONLY BY
ORDER OF THE CIRCUIT COURT OF
GREENSVILLE COUNTY"

In accordance with Section 19.2-392.2, Code of Virginia (1950), as amended, it shall be unlawful for any person having or acquiring access to an expunged court or police record to open or review it or to disclose to another person any information from it without an order from the Circuit Court of Greensville County."

Once sealed and labeled, the expunged record is placed in the locked storage unit, with the index filed separately.

C. Privacy of Expunged Records - Code of Virginia, § 19.2-392.3 states that it is unlawful for any person having or acquiring access to expunged court or police records to open, review, and or to disclose to any other person information from such file(s) without an order from the court which ordered the expungement.

D. Ex Parte Order - Code of Virginia, § 19.2-392.3 states that the court may enter an ex parte order on behalf of "an attorney of the Commonwealth," without notice to the subject of the expunged record(s), permitting viewing this record, but may not permit a copy to be made.

E. Violation of Code of Virginia § 19.2-392.3 – Any person willfully violating this section (disclosure of expunged records) is guilty of a Class 1 misdemeanor.

F. Destruction of Expunged Records – There is no provision for destruction of expunged records by law enforcement agencies at this time. These records must be stored and protected indefinitely.

G. Expungement of Juvenile Records – The expungement of all juvenile records shall be in accordance with Virginia State Code 16.1-306.

36.1.7 STATUS OF REPORTS

A. The original of all incident reports will be retained within the computerized Record Management System until printed off and consolidated with a case investigation folder.

B. The following procedure will be followed for the report accounting system of the Emporia Police Department:

1. The reporting officer will create a case number on each reportable incident, or if the reporting officer is unable to do so the case number can be generated by the Communications Center.

2. All reports are approved by the On-Duty Supervisor, who will submit the report to Case Management for final approval and creation of a case folder, or stored in a case management envelope for long term storage.

3. Command Staff will audit the Records Management System report against reports submitted on a daily basis, except for the weekend to ensure that all reports are accounted for.

4. The Patrol Lieutenant will conduct case reviews on all personnel assigned to them at least every 14 days and the CIS Lieutenant will conduct case review on all personnel assigned to Investigations at least every 7 days. During this review the CIS Lieutenant and Patrol Lieutenant will give investigative guidance to officers about successful clearance of the criminal investigation or advise the officer

to make the case inactive due to lack of leads. See also General Order 23.1.9, *Case Screening/ Assignments/Suspending Efforts.*

36.2 FIELD REPORTING AND MANAGEMENT

36.2.1 FIELD REPORTING

A. Officers will also submit a Field Interview Report into their mobile data terminals when they come into contact with suspicious individuals they deal with in their assigned sectors. This can be a valuable investigative tool when information is needed.

B. When Reports to be Written

1. Incident Reports will be filed when a criminal offense or a criminal arrest has occurred. Supplemental reports will be filed when activity in a criminal investigation has taken place or when a suspect has been arrested.

2. Traffic Collision Reports will be filed when they are determined be reportable to the Department of Motor Vehicles. Non-reportable collisions will be documented in the CAD incident.

3. Citizen Complaint forms will be filed when a citizen has complaint on the actions or behavior of any Police Department employee.

C. Forms utilized for Field Reports

1. Employee's will utilize the Incident Based Reporting software in the Records Management System to complete incident reports documenting crimes that have occurred within the City of Emporia.

2. Employees who are required to complete a motor vehicle collision report to the Department of Motor Vehicles will complete a computerized report that is transmitted to DMV for reporting purposes.

3. Citizen Complaints on employee's will be received by a supervisor and forwarded to the Chief of Police who will enter the complaint in the IA Pro software.

D. Information Required for Field Reports

1. All reports are computerized and have fields that need to be filled out for completion.

2. Officers need to obtain the who, what, where, when, why and how to complete all of the information for incident and collision reports. Citizens are required to complete the Citizen Complaint form and the Chief of Police or Support Division Commander will complete the information in the IA Pro software system.

3. Officers may refer to the IBR manual and the Manual for Investigating Traffic Accidents to determine which information is required in the blocks.

E. Completing Field Reports

1. Employees will refer to the Incident Report Based Report Manual and the Police Officer's Instructional Manual for Investigating Traffic Accident when completing field reports.

2. Both reports are computerized in the Records Management System for IBR reports and the TREDS system for accident reports.

3. All officers are provided with these manuals as well as revised editions during retraining as they become available.

F. Submission of Reports and Supervisory Review

1. Officers are required to submit their completed incident and accident reports to their on-duty supervisor for review and approval prior to the end of their tour of duty.

2. Supervisors will review and approve their officer's reports for neatness, legibility, that the elements of a crime and probable cause have been articulated in the report, and that the report has been validated in the Records Management System.

3. Once the supervisor approves the incident or accident report, they will submit the report and all supplemental forms associated with the case to case management. Case management will serve as the final review to ensure that the report has been properly classified and a case folder is created.

4. The duty supervisor is responsible for submitting completed forms to Case Management. Field interviews do not require a supervisor's approval.

G. The Administrative Services Manager, or his/her designee, shall ensure that the repository for all offense, arrest and traffic collision reports are computerized and will be filed sequentially by year and case number.

36.2.2 REPORTING SYSTEM

A. Personnel of the EPD will prepare official documentation of police activity, whether originating from a citizen or departmental personnel.

B. The Emporia Police Department Communications Center will ensure that documentation will be prepared for the following incidents when they occur within the City of Emporia:

1. Citizen report of a crime;

2. Calls for service for agency's that fall under the scope of the Communications Center. (law enforcement, fire and rescue)

3. Citizen complaints regarding the performance or behavior of the Police Department or any employees working for the Police Department.

4. Citizen complaints regarding the performance or behavior the the Communications Center or any telecommunicators working within the Communications Center

5. Incidents Resulting in an employee being dispatched or assigned;

6. Criminal and non-criminal cases initiated by Department or other public safety employees;

7. Criminal and non-criminal incidents requested by other agencies;

8. Incidents involving arrest or summonses.

C. The documentation of these events begins with a Computer Aided Dispatch (CAD) entry by the Communications Officer. Once entered, these incidents become permanent records in the Department CAD system. To ensure accuracy, personnel should initiate a call for service in the CAD system as soon as they become aware of the event. This may be accomplished by radio, telephone or in person at the Communications Center. Communications personnel should enter the event information as soon as it is received.

D. An incident report shall be prepared when an officer self-initiates, or is dispatched to a reported or suspected criminal event, civil dispute, police service or any incident during which the officer has contact with a complainant or witness. The officer's *Field Notebook* should be used to record information obtained during the conduct of any investigation. An officer dispatched to an event as previously described and, who after a diligent search, finds nothing, and shall record the activity in their notebook and dispose of the incident as follows:

1. If it can be determined that the reported event is of minimal importance and that all parties have left the scene, an incident report will not be required and the radio disposition shall be cleared*, GOA*;

2. If, after the investigation it cannot be established that the event occurred, or that in all probability it did not occur, an incident report is not required, and the radio disposition shall be cleared*, Unfounded*.

E. Motor Vehicle Accident Investigation. See General Order 33.2.1, *Accident Investigation Reports,* and 29.2.2, *Officer Response.*

F. Towing of Motor Vehicle. See General Order 33.3.7, *Abandoned Vehicles, Towing Policy, Towing Records.*

G. Any investigation of a missing/runaway person not yet 21 years of age shall include an incident report, the missing persons form, and other documentation as required by the State Code.

H. During the course of an investigation where it is established that a criminal act did occur but that the complainant/victim desires no further action by departmental personnel, the investigating officer shall note the request in the Incident Report.

I. Officers conducting field interviews shall be guided by General Order 22.2.3, *Field Interviews.*

J. Animal Control Officers and Police Officers shall enforce violations of the City's Code of Ordinances, Chapter 10, *and Animals*. Officers have the authority to, and shall, enforce applicable violations citing the specific ordinance. An incident report will be required to be completed.

K. Investigations resulting in the determination that City maintenance is required shall be reported to the Communications Center.

L. Officers that respond to an alarm where no criminal activity is found are not required to document the incident. The radio disposition shall be cleared*, HBO*.

M. When a vehicle is marked in regards to a possible towing, the officer shall mark the tires and complete an incident report. Subsequent investigation into the case, including the towing of the vehicle, will be documented on a supplemental report and a tow form and in accordance with applicable policies and procedures as outlined in General Order 33.3.7, *Abandoned Vehicles, Towing Policy, Towing Records.*

N. Any request for VCIN/NCIC entry or removal shall be documented on the VCIN/NCIC entry request.

36.2.3 SUPERVISORY REVIEW

A. Every form of documentation submitted by an employee will be reviewed for neatness, legibility, completeness and accuracy by a supervisor. Documentation not approved will be returned to the writer for necessary corrections. Upon approval, the documentation will be forwarded to Case Management.

36.2.4 DISTRIBUTION OF REPORTS

A. All approved reports, including but not limited to Summonses, Warrants, Incident Reports, Follow-up/Investigation Summaries, etc. will be forwarded to Records, and the appropriate copies forwarded to the Commonwealth's Attorney, Case Management, Family Violence and Sexual Assault Unit, Crime Victims Assistance or other agency as may be legally required on a case-by-case basis. Records shall file all reports in numerical sequence.

B. Supervisors will ensure that all Incident Reports are forwarded to Case Management where they are reviewed and then filed in the appropriate file, and appropriate copies forwarded to the Commonwealth's Attorney, Family Violence and Sexual Assault Unit and Crime Victims Assistance if relevant.

C. Copies of reports of traffic accidents involving City vehicles, injuries on City property, damages or loss of City Property, or incidents where there may be a City liability will be forwarded to the Chief of Police. The report will be forwarded to the City manager and other appropriate departments or agencies. Copies of reports will be authorized to other public law enforcement agencies on a case-by-case basis.

D. All requests for information will be handled in accordance with the *Code of Virginia* and Virginia Freedom of Information Act.

36.3 RECORDS

36.3.1 MASTER NAME INDEX

A. The Emporia Police Department will maintain a computerized index of all persons identified in all field documents through the Records Management System.

36.3.2 INCIDENT INDEXING

A. The Emporia Police maintains records to include, at a minimum:

1. Calls for service and crime type;

2. Calls for service and crimes by location;

3. Records maintains a computerized index of all stolen, found, recovered and evidentiary property, property retained for safekeeping, and property to be destroyed.

a. All reported stolen property that lists a serial number or other distinctive identifying number will be entered into the National Crime Information Center stolen property file at the direction of the investigating officer.

b. The Support Division Commander will receive and ensure that members of the Criminal Investigations Section conduct validations from the Communications Center on a monthly basis to ensure that the items remain in NCIC/VCIN.

36.3.3 TRAFFIC RECORDS SYSTEM

A. The Emporia Police Department has a comprehensive traffic records system that include the Records Management and TREDS System that includes:

1. Traffic Collision Data- which is stored in the RMS system and sent to the TREDS system;

2. Traffic Enforcement Data- which is stored in the Department's Records Management System;

3. Roadway Hazard Information- which is stored in the Department's CAD system.

B. The Administrative Services Manager is responsible for the processing, maintenance and distribution of EPD traffic records.

1. Supervisors shall be responsible for filing all traffic reports, accident investigations and summonses with Case Management prior to the end of their shift.

C. All documents and records are retained according to guidelines established by the *Virginia Public Records Act*, *Code of Virginia* 47.1-76.

D. Copies of accident reports will be provided to involved parties, insurance agencies, or other legal representatives for a $5.00 charge.

E. The Special Operations Lieutenant will compile a monthly and annual report for the Chief of Police that shall include all traffic enforcement and collision investigation data collected by the Department during the year.

F. Accident information will be gathered from accident investigation reports submitted to Records. Analysis of traffic accidents will include at a minimum the following factors:

1. Month, day and hour.

2. Location and direction, weather and road conditions.

3. Driver action, to include violations.

4. Type of vehicles involved.

36.3.4 SUMMONS/CITATION ACCOUNTABILITY

A. Electronic Summonses/Citations

1. The Emporia Police Department utilizes the electronic citations as a more efficient and effective method to issue Virginia Uniform Traffic Summonses through the Department's Record Management System.

2. E-citations must be saved in the mobile field reporting module prior to printing and submission into the records management system.

3. E-citations are issued to all officers through the mobile field reporting module. Officers must save the summons/citation in order for the summons/citation to be printed and transferred into the records management system.

4. All e-citations are accounted for in the records management system once an officer completes and saves the citation in the records management system.

5. Upon saving the e-citation in the records management system, accounting is accomplished through an auto-generated citation number assigned to the specific citation within the records management system.

6. All e-citations are securely stored in the Department's record management system. Once an officer saves an electronic citation, that e-citation is immediately transferred into the summons module of the records management system for storage.

B. Hard-Copy Summonses/Citations

1. As a back-up alternative to the electronic summonses/citations the department will continue to have hard copy summonses available to officers in situations when the e-citation system goes down.

2. The Administrative Assistant to the Chief of Police is responsible for the secure storage of all Virginia Uniform Traffic Summonses.

3. The Administrative Assistant to the Chief of Police will issue summonses to Officers and a log will be completed identifying the beginning sequential numbers of the book issued, date, and the officer receiving the summons or citation book.

   a. Strict accountability for traffic summon books is an International Accreditation requirement and also assists in protecting both our officers and Department from accusations of bias or favoritism in the issuance and disposition of these citations.

   b. Officers requiring *Virginia Uniform Summonses* shall individually and personally make their requests to the person designated to distribute summonses. Officers shall manage their inventory of summonses so as to ensure that they have adequate materials at all times.

4. All summonses will be turned in to supervisors prior to the end of shift. Supervisors shall review summonses and deliver them to the box labeled for Records, The Administrative Assistant will forward them to the appropriate court.

5. In cases of a lost or stolen summons, the officer to whom the summons was assigned shall prepare a memorandum explaining the incident to the squad supervisor. This memorandum shall be forwarded through the chain of command.

6. The voiding of summonses shall be handled in the following manner:

   a. If an error is made while writing a summons, or if a summons is not usable; officers may void the summons. Officers shall notify their supervisor as soon as practical of the voided summons.

   b. If it appears a summons is issued improperly or inappropriately, the officer and supervisor shall contact the Commonwealth Attorney immediately for guidance

   c. Only with the approval of the Commonwealth's Attorney may officers request that the charges brought forth on a summons not be prosecuted.

   d. Audits of Summons logbooks may be accomplished at the direction of the Chief of Police, or Major.

36.3.5 RECORDS MAINTAINED OUTSIDE RECORDS

A. All calls for service reports are maintained in the records management system. Criminal investigation reports are stored in case management files; and expunged records are filed in the Office of the Chief of Police. At the conclusion of any criminal investigation the reports of investigation are filed in records storage room.

B. The following files and records are authorized to be kept away from the central records:

1. Administrative Offices – Personnel files, Payroll files, chief's correspondence, command staff memorandums, general memorandums, radar and vehicle checks for accuracy, training records, completed internal affairs and citizen complaints, selective enforcement records, property records, inventory records, summons logs and other Department administrative records.

   a. *The official City of Emporia personnel records are stored and maintained by the City Manager's Office, and the

original payroll records are maintained in the Finance Department.

2. Support Division – Active and confidential investigations, and active internal affairs investigations, modus operandi files and informant files.

3. Operations Division – Daily activity reports, traffic accident statistics.

4. Communications Center – Warrant, protective orders, NCIC/VCIN entries, tow records, radio logs, property records, and teletype records.

5. Property and Evidence – Property and Evidence Forms, Chain of Custody and Inventory records will be store in the Property/ Evidence Room.

C. Arrest numbers are generated by the CAD (Computer-Aided Dispatch) system as each call for service enters through the Communications Center. Arrest/case numbers and are incident-based, not person oriented. Each incident is automatically assigned an incident number by the CAD system, unique to that specific incident alone, and the case number shall be used on arrest documents during processing or if an incident report is generated.

36.3.6 ARREST/INCIDENT RECORDS

A. An incident report shall be completed for <u>every</u> physical arrest (including traffic summons), whether custodial or if the officer releases the suspect on a summons, as well as Emergency Protective Orders. This report shall contain the details that led to the arrest, surrounded the arrest, and the processing of the subject. Fingerprinting and photographing should be in accordance with General Order 2.1.4, *Arrest Procedures.* All incident reports will be entered into the Records Management System (RMS) using the case number assigned by the CAD system (37.3.6 above).

36.3.7 WARRANT AND WANTED PERSONS FILE

A. Virginia Crime Information Network (VCIN) and National Crime Information Center (NCIC) manuals will set the criteria to be utilized when entering notices in regional, state, and federal information systems.

1. VCIN and NCIC manuals will also set standards in receiving information, verifying information and canceling information.

2. All information shall be verified by the dispatcher on the report of investigation, prior to entry or removal.

3. A Communications Officer will conduct the second party check on all VCIN/NCIC entries.

4. The Communications Supervisor will typically perform the third party check on all VCIN/NCIC entries unless the supervisor was the individual who performed the initial entry.

5. Monthly audits of the file will be conducted by the Administrative Services Manager or designee, utilizing the Virginia State Police *Wanted* files as a cross-reference.

6. Similarly, monthly audits are made of the *Active Warrant* file. Misdemeanor warrants that are over three (3+) years old and felony warrants that are over seven (7+) years old are forwarded to the Commonwealth's Attorney for disposition and cancellation. See General Order 37.2.2, *Reporting System.*

B. All officers have access to the EPD's Records Management System through the use of terminals in the Department. Terminals provide 24-hour access to the files. Communications Officers have access to the automated warrant file, as well as actual documents that are kept on file in the Communications Center. The Administrative Services Manager is responsible for the accuracy and maintenance of the file. The computerized file is backed up on the network on a daily basis.

36.3.8 DISPOSITION RECORDS

A. All criminal cases presented to a court shall have the disposition documented by the officer on a court disposition form.
This form shall be reviewed by case management and placed in the officers closed files. The closed investigation files are then transferred to records storage.

36.3.9 REPORT FORMS

A. The Chief of Police is responsible for development, modification and implementation of all departmental forms and will review existing forms to ensure that there is no duplication of information.

B. Forms will be developed with input from the command staff and a supervisor from the section that will use the form.

C. The Chief of Police will consult with the Administrative Services Manager when a new form may pose concerns about records maintenance or data processing requirements.

36.1 CENTRAL RECORDS

36.1.1 RECORDS SECURITY AND PRIVACY

A. Employees granted access to the Records Management System shall be issued a username and password. Users should not allow other users to access the system via their username/password through any intentional or negligent act. Users should change their passwords regularly to prevent unauthorized access to the system.

B. Records storage locations shall be locked after normal business hours. Non-departmental personnel (citizens, contractors, or other city employees) shall not be left unaccompanied in any records storage location

C. The release of information from the Center will be in accordance with the Code of Virginia, 19.2-389, and the Department of Criminal Justice Services (DCJS), *Regulations Relating to Criminal History Records Information Use and Security*. The Records Technician shall maintain a current and accurate copy of the DCJS regulations in the Center for availability to all employees. Employees with concerns or questions regarding the release of information shall contact the Records Technician.

D. Dissemination of Criminal History Records – Code of Virginia, § 19.2-389 should be referred to ascertain a requesting individual or agency's legitimacy in requesting criminal history information.

1. This Department has established procedures to query CCRE *prior to* dissemination of any criminal history record information on offenses required to be reported to CCRE, thus insuring the most up-to-date disposition data is being used.

2. The Police Department does not release criminal history information and will direct all inquirers to the CCRE for dissemination for CCRE- reportable crimes.

3. Dissemination of information regarding offenses not required to be reported to CCRE shall be made by this Department as required by Code § 15.2-1722.

4. Department employees shall neither confirm nor deny the existence or non-existence of a criminal history record to persons or agencies that would not be eligible to receive the information.

6. When releasing criminal history records, to law enforcement

personnel or all other authorized agencies an entry will be recorded in a ledger located in the Communications Center.

E. Challenge of Records – Individuals may challenge their own criminal history by executing and submitting the *Review or Challenge of Criminal History Record Information* form to this Department, with a copy of the form sent to the Chief of Police.

1. A copy of the challenged record may be furnished to the contesting individual and must be marked "Not to be disseminated further except as provided by law."

2. The challenged record will be marked/flagged with the message "Challenged Record." All disseminated records shall contain this message while under challenge.

3. If the challenge pertains to "arrest" information, all relevant files will be examined to determine the validity of the challenge. If no errors are found, the Department will notify the agency where the review and challenge occurred, who will then, in turn, notify the individual or his/her attorney.

4. If the challenged record pertains to the disposition information, this Department will compare the contents of challenge with the information supplied by the Clerk of Court. If no errors are found, the Department will forward the challenge to the Clerk of Court originating the disposition for examination of the court records pursuant to the challenge. The arresting agency will then notify the individual or his/her attorney of the action.

   a. The Clerk of Court shall cause the court records to be compared with the contents of the challenge to determine if discrepancies exist in the disposition segment of the record maintained by the arresting agency of those agencies party to the challenge, or the results and any corrective action.

   b. The agency in which the challenge occurred shall notify the individual or his/her attorney of action taken.

F. Persons or agencies requesting criminal history information other than for Emporia convictions shall be referred to the Central Criminal Records Exchange in Richmond, Virginia.

G. Administrative Review – After a review and challenge has been made in either the CCRE or this Department, if dissatisfied with the challenge, the individual or his/her attorney may submit a written

request that the Chief of Police review the challenge. The Chief of Police or his/her designee shall review the challenge and notify the individual or his/her attorney of the decision within thirty (30) days of receipt of the written request.

H. Administrative Appeal – After the administrative review, if dissatisfied with the review response, the individual or his/her attorney may submit a written request (within thirty [30] days of the date of notification of the review results) to the City Manager's Office to review the challenge and conduct an informal hearing which would be directed by the City Manager or his/her designee.

I. Corrections – Should an error be discovered, all known copies of the record(s) (electronic and paper) shall be corrected by notifying the appropriate criminal justice agencies, non- criminal agencies and/or individuals in writing of the correction made. This communication shall include a request for the receiving criminal justice agencies to "notify any and all additional agencies or individuals known to maintain such records and to make the appropriate corrections." Upon written request, an individual or his/her attorney shall be given a name of all non-criminal justice agencies to which the data has been furnished.

36.1.2 JUVENILE CRIMINAL RECORDS

A. The Records Technician is responsible for the collection, retention and dissemination of juvenile records.

1. The Emporia Police Department will maintain a separate file for juvenile records, even in cases where the same person has a juvenile and an adult record. The Department will clearly distinguish juvenile records in the following methods:

a. In the Records Management System, the wording "Juvenile" is clearly distinguished on the RMS screen.

b. The Emporia Police Department case management system utilizes color coded folders for misdemeanors, felonies and juvenile crimes.

c. Once a juvenile investigative case folder has either been adjudicated in court or has been classified as inactive, case management will file the contents of the juvenile investigative folder in a white case management storage envelope clearly marked "juvenile."

2. Juvenile investigative case files are securely stored in the case

management file cabinets and then store long term in the records storage room.

3. The Department will maintain all juvenile records and reports until expiration of the Records Retention Schedule.

4. When the Emporia Police Department receives an expungement order from the Juvenile and Domestic Relations Court, the Records Technician shall remove all juvenile criminal records from the Records Management System and any hard copies that are in possession of the Emporia Police Department. The expunged records will be securely stored in the administrative files of the Office of the Chief of Police.

5. Juvenile Fingerprints and Photographs – Fingerprints and photographs and other identification of juvenile offenders shall be collected in accordance with Virginia State Code 16.1-299 and General Order 25.2.2 (D). Once taken, the fingerprints and photographs are transported to the Juvenile and Domestic Relations Court for storage in accordance with Virginia State Code 16.1-299.

6. Notification of the Public School System – In accordance with Virginia State Code 22.1-279.3:1 the Department will contact the School Superintendent and Principal when students are involved in certain offenses contained in the above code section.

36.1.3 RECORDS RETENTION SCHEDULE

A. The Records Technician is responsible for records retention and disposition general schedule for the EPD in accordance with the Code of Virginia, 42.1-76, *The Virginia Public Records Act*. No records are to be retained, transferred, and destroyed or otherwise disposed of in violation of this schedule. Any questions concerning record retention should be addressed to the Records Technician.

36.1.4 UNIFORM CRIME REPORTING

A. All reports shall be submitted no later than the 3rd day of each month to ensure proper UCR reporting to the Virginia State Police.

B. Supervisors shall ensure the timely filing of reports of investigations that may change the type or status of an event.

C. The Emporia Police Department shall submit their Uniform Crime Report (UCR) data to the Virginia State Police's secured website by

the 15th of each month. Final reports must be filed prior to the due date as set by the Virginia State Police.

36.1.5 RECORDS ACCESSIBILITY

A. Records and Communications Center personnel have access to central records information and are capable of forwarding that information to operational personnel upon request.

36.1.6 EXPUNGED RECORDS

A. Petition for Expungement - In compliance with Code of Virginia, § 19.2-392.2, upon receipt of a petition for expungement, this Department will complete one set of the petitioner's fingerprints and shall submit the fingerprint card along with a copy of the petition to CCRE. The records are not altered or removed.

B. Expungement of Records - Upon receipt of an order of expungement and directive from the Virginia State Police, this Department will remove the affected records from all sources (electronic and paper file) and gathered for sealing. Prior to sealing the record, the identifying data will be added to the index of expunged records for future reference and an index number assigned. It is helpful, though not required, to include the court of jurisdiction. Once the record is sealed and the index number placed in the upper right-hand corner of the envelope, a label or printed statement must be affixed to the front of the envelope stating:

"EXPUNGED RECORD TO BE UNSEALED ONLY BY
ORDER OF THE CIRCUIT COURT OF
GREENSVILLE COUNTY"

In accordance with Section 19.2-392.2, Code of Virginia (1950), as amended, it shall be unlawful for any person having or acquiring access to an expunged court or police record to open or review it or to disclose to another person any information from it without an order from the Circuit Court of Greensville County."

Once sealed and labeled, the expunged record is placed in the locked storage unit, with the index filed separately.

C. Privacy of Expunged Records - Code of Virginia, § 19.2-392.3 states that it is unlawful for any person having or acquiring access to expunged court or police records to open, review, and or to disclose to any other person information from such file(s) without an order from the court which ordered the expungement.

D. Ex Parte Order - Code of Virginia, § 19.2-392.3 states that the court may enter an ex parte order on behalf of "an attorney of the Commonwealth," without notice to the subject of the expunged record(s), permitting viewing this record, but may not permit a copy to be made.

E. Violation of Code of Virginia § 19.2-392.3 – Any person willfully violating this section (disclosure of expunged records) is guilty of a Class 1 misdemeanor.

F. Destruction of Expunged Records – There is no provision for destruction of expunged records by law enforcement agencies at this time. These records must be stored and protected indefinitely.

G. Expungement of Juvenile Records – The expungement of all juvenile records shall be in accordance with Virginia State Code 16.1-306.

36.1.7 STATUS OF REPORTS

A. The original of all incident reports will be retained within the computerized Record Management System until printed off and consolidated with a case investigation folder.

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1. The Communications Center will create a case number on each reportable incident.

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4. The Patrol Lieutenant will conduct case reviews on all personnel assigned to them at least every 14 days and the Support Division Commander will conduct case review on all personnel assigned to Investigations at least every 7 days. During this review the Support Division Commander and Patrol Lieutenant will give investigative guidance to officers about successful clearance of the criminal investigation or advise the officer to make the case inactive

due to lack of leads. See also General Order 23.1.9, *Case Screening/ Assignments/Suspending Efforts.*

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A. Officers will also submit a Field Observation Report into their mobile data terminals when they come into contact with suspicious individuals they deal with in their assigned sectors. This can be a valuable investigative tool when information is needed.

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3. Officers may refer to the IBR manual and the Manual for Investigating Traffic Accidents to determine which information is required in the blocks.

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1. Employees will refer to the Incident Report Based Report Manual and the Police Officer's Instructional Manual for Investigating Traffic Accident when completing field reports.

2. Both reports are computerized in the Records Management System for IBR reports and the TREDS system for accident reports.

3. All officers are provided with these manuals as well as revised editions during retraining as they become available.

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1. Officers are required to submit their completed incident and accident reports to their on-duty supervisor for review and approval prior to the end of their tour of duty.

2. Supervisors will review and approve their officer's reports for neatness, legibility, that the elements of a crime and probable cause have been articulated in the report, and that the report has been validated in the Records Management System.

3. Once the supervisor approves the incident or accident report, they will submit the report and all supplemental forms associated with the case to case management. Case management will serve as the final review to ensure that the report has been properly classified and a case folder is created.

4. The duty supervisor is responsible for submitting completed forms to Case Management. Field interviews do not require a supervisor's approval.

G. The Records Technician, or his/her designee, shall ensure that the repository for all offense, arrest and traffic collision reports are computerized and will be filed sequentially by year and case number.

36.2.2 REPORTING SYSTEM

A. Personnel of the EPD will prepare official documentation of police activity, whether originating from a citizen or departmental personnel.

B. The Emporia Police Department Communications Center will ensure that documentation will be prepared for the following incidents when they occur within the City of Emporia:

1. Citizen report of a crime;

2. Calls for service for agency's that fall under the scope of the Communications Center. (law enforcement, fire and rescue)

3. Citizen complaints regarding the performance or behavior of the Police Department or any employees working for the Police Department.

4. Citizen complaints regarding the performance or behavior the the Communications Center or any telecommunicators working within the Communications Center

5. Incidents Resulting in an employee being dispatched or assigned;

6. Criminal and non-criminal cases initiated by Department or other public safety employees;

7. Criminal and non-criminal incidents requested by other agencies;

8. Incidents involving arrest or summonses.

C. The documentation of these events begins with a Computer Aided Dispatch (CAD) entry by the Communications Officer. Once entered, these incidents become permanent records in the Department CAD system. To ensure accuracy, personnel should initiate a call for service in the CAD system as soon as they become aware of the event. This may be accomplished by radio, telephone or in person at the Communications Center. Communications personnel should enter the event information as soon as it is received.

D. An incident report shall be prepared when an officer self-initiates, or is dispatched to a reported or suspected criminal event, civil dispute, police service or any incident during which the officer has contact with a complainant or witness. The officer's *Field Notebook* should be used to record information obtained during the conduct of any investigation. An officer dispatched to an event as previously described and, who after a diligent search, finds nothing, and shall record the activity in their notebook and dispose of the incident as follows:

1. If it can be determined that the reported event is of minimal importance and that all parties have left the scene, an incident report will not be required and the radio disposition shall be cleared*, GOA*;

2. If, after the investigation it cannot be established that the event occurred, or that in all probability it did not occur, an incident report is not required, and the radio disposition shall be cleared*, Unfounded*.

E. Motor Vehicle Accident Investigation. See General Order 33.2.1, *Accident Investigation Reports,* and 29.2.2, *Officer Response.*

F. Towing of Motor Vehicle. See General Order 33.3.7, *Abandoned Vehicles, Towing Policy, Towing Records.*

G. Any investigation of a missing/runaway person not yet 21 years of age shall include an incident report, the missing persons form, and other documentation as required by the State Code.

H. During the course of an investigation where it is established that a criminal act did occur but that the complainant/victim desires no further action by departmental personnel, the investigating officer shall note the request in the Incident Report.

I. Officers conducting field interviews shall be guided by General Order 22.2.3, *Field Interviews.*

J. Animal Control Officers and Police Officers shall enforce violations of the City's Code of Ordinances, Chapter 10, *and Animals*. Officers have the authority to, and shall, enforce applicable violations citing the specific ordinance. An incident report will be required to be completed.

K. Investigations resulting in the determination that City maintenance is required shall be reported to the Communications Center.

L. Officers that respond to an alarm where no criminal activity is found are not required to document the incident. The radio disposition shall be cleared*, HBO*.

M. When a vehicle is marked in regards to a possible towing, the officer shall mark the tires and complete an incident report. Subsequent investigation into the case, including the towing of the vehicle, will be documented on a supplemental report and a tow form and in accordance with applicable policies and procedures as outlined in General Order 33.3.7, *Abandoned Vehicles, Towing Policy, Towing Records.*

N. Any request for VCIN/NCIC entry or removal shall be documented on the VCIN/NCIC entry request.

36.2.3 SUPERVISORY REVIEW

A. Every form of documentation submitted by an employee will be reviewed for neatness, legibility, completeness and accuracy by a supervisor. Documentation not approved will be returned to the writer for necessary corrections. Upon approval, the documentation will be forwarded to Case Management.

36.2.4 DISTRIBUTION OF REPORTS

A. All approved reports, including but not limited to Summonses, Warrants, Incident Reports, Follow-up/Investigation Summaries, etc. will be forwarded to Records, and the appropriate copies forwarded to the Commonwealth's Attorney, Case Management, Family Violence and Sexual Assault Unit, Crime Victims Assistance or other agency as may be legally required on a case-by-case basis. Records shall file all reports in numerical sequence.

B. Supervisors will ensure that all Incident Reports are forwarded to Case Management where they are reviewed and then filed in the appropriate file, and appropriate copies forwarded to the Commonwealth's Attorney, Family Violence and Sexual Assault Unit and Crime Victims Assistance if relevant.

C. Copies of reports of traffic accidents involving City vehicles, injuries on City property, damages or loss of City Property, or incidents where there may be a City liability will be forwarded to the Chief of Police. The report will be forwarded to the City manager and other appropriate departments or agencies. Copies of reports will be authorized to other public law enforcement agencies on a case-by-case basis.

D. All requests for information will be handled in accordance with the *Code of Virginia* and Virginia Freedom of Information Act.

36.3 RECORDS

36.3.1 MASTER NAME INDEX

A. The Emporia Police Department will maintain a computerized index of all persons identified in all field documents through the Records Management System.

36.3.2 INCIDENT INDEXING

A. The Emporia Police maintains records to include, at a minimum:

1. Calls for service and crime type;

2. Calls for service and crimes by location;

3. Records maintains a computerized index of all stolen, found, recovered and evidentiary property, property retained for safekeeping, and property to be destroyed.

a. All reported stolen property that lists a serial number or other distinctive identifying number will be entered into the National Crime Information Center stolen property file at the direction of the investigating officer.

b. The Support Division Commander will receive and ensure that members of the Criminal Investigations Section conduct validations from the Communications Center on a monthly basis to ensure that the items remain in NCIC/VCIN.

36.3.3 TRAFFIC RECORDS SYSTEM

A. The Emporia Police Department has a comprehensive traffic records system that include the Records Management and TREDS System that includes:

1. Traffic Collision Data- which is stored in the RMS system and sent to the TREDS system;

2. Traffic Enforcement Data- which is stored in the Department's Records Management System;

3. Roadway Hazard Information- which is stored in the Department's CAD system.

B. The Records Technician is responsible for the processing, maintenance and distribution of EPD traffic records.

1. Supervisors shall be responsible for filing all traffic reports, accident investigations and summonses with Case Management prior to the end of their shift.

C. All documents and records are retained according to guidelines established by the *Virginia Public Records Act*, *Code of Virginia* 47.1-76.

D. Copies of accident reports will be provided to involved parties, insurance agencies, or other legal representatives for a $5.00 charge.

E. The Special Operations Lieutenant will compile a monthly and annual report for the Chief of Police that shall include all traffic enforcement and collision investigation data collected by the Department during the year.

F. Accident information will be gathered from accident investigation reports submitted to Records. Analysis of traffic accidents will include at a minimum the following factors:

1. Month, day and hour.

2. Location and direction, weather and road conditions.

3. Driver action, to include violations.

4. Type of vehicles involved.

36.3.4 SUMMONS/CITATION ACCOUNTABILITY

A. Electronic Summonses/Citations

1. The Emporia Police Department utilizes the electronic citations as a more efficient and effective method to issue Virginia Uniform Traffic Summonses through the Department's Record Management System.

2. E-citations must be saved in the mobile field reporting module prior to printing and submission into the records management system.

3. E-citations are issued to all officers through the mobile field reporting module. Officers must save the summons/citation in order for the summons/citation to be printed and transferred into the records management system.

4. All e-citations are accounted for in the records management system once an officer completes and saves the citation in the records management system.

5. Upon saving the e-citation in the records management system, accounting is accomplished through an auto-generated citation number assigned to the specific citation within the records management system.

6. All e-citations are securely stored in the Department's record management system. Once an officer saves an electronic citation, that e-citation is immediately transferred into the summons module of the records management system for storage.

B. Hard-Copy Summonses/Citations

1. As a back-up alternative to the electronic summonses/citations the department will continue to have hard copy summonses available to officers in situations when the e-citation system goes down.

2. The Administrative Assistant to the Chief of Police is responsible for the secure storage of all Virginia Uniform Traffic Summonses.

3. The Administrative Assistant to the Chief of Police will issue summonses to Officers and a log will be completed identifying the beginning sequential numbers of the book issued, date, and the officer receiving the summons or citation book.

   a. Strict accountability for traffic summon books is an International Accreditation requirement and also assists in protecting both our officers and Department from accusations of bias or favoritism in the issuance and disposition of these citations.

   b. Officers requiring *Virginia Uniform Summonses* shall individually and personally make their requests to the person designated to distribute summonses. Officers shall manage their inventory of summonses so as to ensure that they have adequate materials at all times.

4. All summonses will be turned in to supervisors prior to the end of shift. Supervisors shall review summonses and deliver them to the box labeled for Records. Records will forward them to the appropriate court.

5. In cases of a lost or stolen summons, the officer to whom the summons was assigned shall prepare a memorandum explaining the incident to the squad supervisor. This memorandum shall be forwarded through the chain of command.

6. The voiding of summonses shall be handled in the following manner:

   a. If an error is made while writing a summons, or if a summons is not usable; officers may void the summons. Officers shall notify their supervisor as soon as practical of the voided summons.

   b. If it appears a summons is issued improperly or inappropriately, the officer and supervisor shall contact the Commonwealth Attorney immediately for guidance

   c. Only with the approval of the Commonwealth's Attorney may officers request that the charges brought forth on a summons not be prosecuted.

   d. Audits of Summons logbooks may be accomplished at the direction of the Chief of Police, or Major.

36.3.5 RECORDS MAINTAINED OUTSIDE RECORDS

A. All calls for service reports are maintained in the records management system. Criminal investigation reports are stored in case management files; and expunged records are filed in the Office of the Chief of Police. At the conclusion of any criminal investigation the reports of investigation are filed in records storage room.

B. The following files and records are authorized to be kept away from the central records:

1. Administrative Offices – Personnel files, Payroll files, chief's correspondence, command staff memorandums, general memorandums, radar and vehicle checks for accuracy, training records, completed internal affairs and citizen complaints, selective enforcement records, property records, inventory records, summons logs and other Department administrative records.

   a. *The official City of Emporia personnel records are stored and maintained by the City Manager's Office, and the

original payroll records are maintained in the Finance Department.

2. Support Division – Active and confidential investigations, and active internal affairs investigations, modus operandi files and informant files.

3. Operations Division – Daily activity reports, traffic accident statistics.

4. Communications Center – Warrant, protective orders, NCIC/VCIN entries, tow records, radio logs, property records, and teletype records.

5. Property and Evidence – Property and Evidence Forms, Chain of Custody and Inventory records will be store in the Property/ Evidence Room.

C. Arrest numbers are generated by the CAD (Computer-Aided Dispatch) system as each call for service enters through the Communications Center. Arrest/case numbers and are incident-based, not person oriented. Each incident is automatically assigned an incident number by the CAD system, unique to that specific incident alone, and the case number shall be used on arrest documents during processing or if an incident report is generated.

36.3.7 ARREST/INCIDENT RECORDS

A. An incident report shall be completed for <u>every</u> physical arrest (including traffic summons), whether custodial or if the officer releases the suspect on a summons, as well as Emergency Protective Orders. This report shall contain the details that led to the arrest, surrounded the arrest, and the processing of the subject. Fingerprinting and photographing should be in accordance with General Order 2.1.4, *Arrest Procedures.* All incident reports will be entered into the Records Management System (RMS) using the case number assigned by the CAD system (37.3.6 above).

36.3.8 WARRANT AND WANTED PERSONS FILE

A. Virginia Crime Information Network (VCIN) and National Crime Information Center (NCIC) manuals will set the criteria to be utilized when entering notices in regional, state, and federal information systems.

1. VCIN and NCIC manuals will also set standards in receiving information, verifying information and canceling information.

2. All information shall be verified by the dispatcher on the report of investigation, prior to entry or removal.

3. A Communications Officer will conduct the second party check on all VCIN/NCIC entries.

4. The Communications Supervisor will typically perform the third party check on all VCIN/NCIC entries unless the supervisor was the individual who performed the initial entry.

5. Monthly audits of the file will be conducted by the Records Technician or designee, utilizing the Virginia State Police *Wanted* files as a cross-reference.

6. Similarly, monthly audits are made of the *Active Warrant* file. Misdemeanor warrants that are over three (3+) years old and felony warrants that are over seven (7+) years old are forwarded to the Commonwealth's Attorney for disposition and cancellation. See General Order 37.2.2, *Reporting System.*

B. All officers have access to the EPD's Records Management System through the use of terminals in the Department. Terminals provide 24-hour access to the files. Communications Officers have access to the automated warrant file, as well as actual documents that are kept on file in the Communications Center. The Records Technician is responsible for the accuracy and maintenance of the file. The computerized file is backed up on the network on a daily basis.

36.3.9 DISPOSITION RECORDS

A. All criminal cases presented to a court shall have the disposition documented by the officer on a court disposition form.
This form shall be reviewed by case management and placed in the officers closed files. The closed investigation files are then transferred to records storage.

36.3.10 REPORT FORMS

A. The Chief of Police is responsible for development, modification and implementation of all departmental forms and will review existing forms to ensure that there is no duplication of information.

B. Forms will be developed with input from the command staff and a supervisor from the section that will use the form.

C. The Chief of Police will consult with the Records Technician when a new form may pose concerns about records maintenance or data processing requirements.

36.3.12 DEPARTMENT COMPUTERS, NETWORK, E-MAIL, INTERNET AND WIRELESS COMMUNICATION

A. Policy - The Emporia Police Department endorses and supports all City policies and procedures regarding computer use and security. The Department further supports all applicable state and federal copyright laws and the license agreements of software manufacturers. In addition, the Department requires that wireless communications devices be operated and controlled in specific fashion.

B. Purpose - To establish policies and procedures regarding the purchase, use, maintenance, and inspection of Police Department and City computer hardware, software, network, e-mail, internet and wireless communication devices.

C. Liabilities and Risks Involved with Department Computers hardware, software, criminal justice information systems and wireless communication.

1. All Department personnel have access to the Records Management System (RMS). This is accomplished through the utilization of an assigned username and password.

2. Communications personnel and the Administrative staff have access to the Computer-Aided Dispatch (CAD). This is accomplished through the same assigned username and password for the Records Management System.

3. All Police Department employees must be aware that they do not enjoy any expectation of privacy as it relates to city-owned computers, smart-phones, e-mails and internet sites visited.

3. While using RMS, all personnel will adhere to the following policies and procedures:

a. Access Security

(1) The integrity and security of the central records files are dependent upon the access systems that provide control through a series of passwords and access codes. Employees are not permitted to use passwords, access a file, or retrieve any stored communication unless authorized to do so.

(2) The City of Emporia contracts with the third party vendor for IT services who has installed an antivirus/maleware software on all workstations and network servers that filters all network traffic to prevent unauthorized external access into the Police Departments network server

(3) Computing resources, data, and information must be protected from unauthorized use, external intrusion, theft and accidental or malicious damage.

(4) To protect active sessions:

(a) Close down active sessions and use a password protected screensaver to secure your terminal or workstation of you intend to leave it unattended or inactive. The following example is the correct way to immediately lock and unlock your workstation by utilizing Ctrl-Alt-Del keys, and then press enter to lock your workstation. To unlock your workstation, move your mouse or press a key on the keyboard, press Ctrl-Alt-Delete, then enter your password in the password field of the dialog box.

(b) Logoff the network and shut down or lock your computer at the end of the working day.

(c) Use secure network file locations to store Police Department data, unless there is a specific need or limitation requiring data to be stored on your computer's local hard drive, external hard drives or flash drives.

(5) A documented inspection of the computer records and security system is conducted on all passwords and access codes for violations and improper use of the system on a quarterly basis. This documented inspection will be conducted by the Major or his designee.

(6) Guard your Password carefully. Adhere to the following guidelines:

(a) Do not reveal passwords to anyone. If required to disclose current password to an authorized IT technician for system maintenance or troubleshooting, change your password immediately after maintenance is completed.

(b) Do not write down and post or store passwords near a workstation, under a keyboard or mouse pad, or other areas where they can be found and used.

(c) For new accounts, change passwords upon first login or upon password reset for the account.

(d) Change passwords immediately if it is suspected that they have been compromised.

(e) All personnel will be responsible for constructing their own passwords. It is advisable to utilize at least eight characters, to include at least one upper case, one lower case, one alpha and one numeric.

(f) Change passwords every ninety (90) days. If greater security is required, change passwords more frequently.

(g) After five (5) unsuccessful network login attempts (invalid ID and/or password), the system will lock the user ID account and the employee will need to contact the Records Technician.

(h) Under NO CIRCUMSTANCES will any member of this Department give their password to anyone else or allow anyone else to log on to the system using their personal information.

(i) In the case of a forgotten, lost or compromised password, the systems administrator must be notified. The systems administrator will then issue a new or reset the password that the user must immediately change to a user-defined password at their next-login.

(j) Police Department members will not attempt to gain access to Records Management options that they are not authorized to perform.

(k) All personnel shall comply with all state and federal laws regarding proper disposition of data retrieved from the records management system and NCIC/VCIN

terminals. This specifically applies to information gained from the VCIN/NCIC link, as governed by VA Code 19.2-389.

(l) At no time will members of this department make any changes to Record Management System terminal configuration information, physically move a terminal, or connect a new terminal without prior approval from the systems administrator.

(m) Upon resignation, retirement or termination the employees user name and password will be de-activated from the Department's network server.

D. Back-up Computer Information

1. The Emporia Police Department maintains a network that serve the use of department computers used by members of the Department. This enables employees to utilize department computers to communicate through CAD/RMS system, e-mail, access the world wide web through the internet and utilize additional department programs and additional files for data storage and retrieval

a. The Emporia Police Department contracts with several third party vendors who provides IT support and back-up computer information. The third party vendors provide the following IT services as provided for back-up computer information:

(1) The third party vendors provided s full. Licensed copy of Storage Craft Shadow Protect SPX 6.8.4 to accomplish backups. Backups are used for file, image and disaster recovery.

(2) A copy of the image backup is stored locally on the dedicated external hard drive and an off-site copy is stored at the third party vendors' data center. The files are securely replicated off-site using a SSL connection and username/password authentication protocols.

(3) The third party vendor ensures the security of the police departments back-up files and media; whereby, the backup images are password protected and encrypted. Transfers of images is accomplished via TLS and SSL.

(4) The third party vendor will ensure that any destruction of back-up files and media is disposed of in a manner that cannot be reconstructed by unauthorized individuals and in compliance with NIST 800-88 standards.

(5) The department's record management system is stored on a secured network protected by a firewall to protect the integrity of the system from outside intruders. The Emporia Police Department's Records Management System network backs up records data on daily basis.

2. Electronic Mail (e-mail) – All Department employees will have access to a department e-mail address.

a. Approved Activities:

(1) A stand-alone computer has been placed in the Communications Center so that communications officers may send and receive emails.

(2) All police and administrative employees have been assigned a computer in which they have access to send and receive emails.

(3) Department e-mail is on Microsoft Office 365 and is not private and will typically constitute a public record under the Virginia Freedom of Information Act.

(4) E-mail messages should be for the purpose of conducting city business or communicating with outside resources.

(5) E-mail communications will conform to the same professional standards as with written and verbal business correspondence. A professional tone should prevail and content will be consistent with and representative of the City's policies and practices.

(6) All department employees have a city email account through Microsoft 365 and should have their email accounts opened and minimized on their MDT's while on duty or working selective enforcement.

(7) If an employee of the police department needs to send an email of a confidential or sensitive nature, then the employee shall ensure that they are sending an encrypted email through Office 365.

(8) All department employee's will check their emails at a minimum at the beginning and end of their tour of duty

b. Prohibited Activities

(1) Inappropriate e-mail messages may cause an employee to be subject to discipline.

(2) E-mail messages that are received should be deleted after having served its purpose. E-mail messages that are needed for further use should be moved to a specific folder within Microsoft 365 or printed off and filed appropriately.

(3) E-mail messages that contain programs that will execute in memory (example filename.exe) will not be opened and executed on Department computers without prior written permission from the systems administrator. Such files may carry viruses capable of causing damage to computer hardware and software.

(4) Any attempt to misrepresent one's identity via e-mail is prohibited.

(5) Use of non-city e-mail accounts may be utilized for city business. Likewise, a non-city email account may not be utilized be forwarded to a city email account.

(6) If the employee is not able to send an encrypted email, then the employee shall not send a confidential or sensitive email.

(7) Department emails will not be utilized for any religious activity, political or campaign use, commercial use, conducting illegal activities, any entertainment uses or any other uses that would bring discredit to the Emporia Police Department.

3. World Wide Web (Internet)

a. Approved Activities

(1) A stand-alone computer has been placed in the Communications Center so that communications officers may access to the world-wide web (internet).

(2) All police and administrative employees have been assigned a computer in which they have access to the world-wide web (internet).

(3) The use of the Department network server to access the Internet must support the organizational objectives of this Department.

(4) Department members who access the Internet must abide by copyright, contract, and other local, state, and federal laws, as well as City policies.

(5) Computers configured to query NCIC/VCIN must be in compliance with all regulations set in place by the Virginia State Police and Federal Bureau of Investigations.

b. Prohibited Activities

(1) Department personnel shall not use City computers to "browse" any sites containing pornographic material, unless such use is in direct connection with an authorized criminal investigation. Written authorization must be obtained from the Support Division Commander who will advise the Chief of Police before such investigation can commence.

(2) At no time, will programs that will execute in memory be downloaded from the internet or any other online source, without prior written permission from the systems administrator.

(3) No employee of the Police Department should expect that they have an expectation of privacy as to his/her internet usage.

(4) Any attempt to misrepresent one's identity on the

internet is prohibited, except when performed by an officer under an authorized police investigation with the approval of the Chief of Police.

(5) Employees of the Emporia Police Department shall not be utilize the internet for any of the following: religious activity, political or campaign use, commercial use, conducting illegal activities, any entertainment uses or any other uses that would bring discredit to the Emporia Police Department.

E. Personal Computer (PC) Use – Desktop, Laptop and Tablets

1. Risks to Computers and Software Programs

a. All personnel should attend training sessions on the proper operation of the PC and related software.

b. The Emporia Police Department will ensure that all department computers, software and all other programs are properly licensed in accordance with all applicable copyright laws and license agreements.

c. Maintenance, hardware enhancements, and software are the responsibility of the systems administrator. At no time, will personnel install or remove computer hardware or software.

d. Only the third party vendor or the police departments administrative staff may introduce, remove, alter or download computer files or programs into a department computer. If the administrative staff downloads a software program that is suspicious, it will be flagged by the third-party vendor's malware software and the police department is notified.

e. No software programs or disks of any type will be loaded into any Department Computer unless the owner of the software produces the license and obtains approval for the use of the software.

f. Under no circumstances will personnel give or sell a copy of department software to another person. A violation of this general order will result in disciplinary action.

g. At all times, Department computers will be available for maintenance and inspection purposes. Passwords and changes will be kept on file with the Department's systems administrator.

h. Computers shall not be moved, modified or changed without the express consent of the Department's systems administrator.

F. Wireless Communications

1. Wireless Communications refer to all devices that transmit voice, data, or signals via radio signal. These devices include all radio transmitters and all types of telephones.

2. Radios - Police radio transmitters shall be used in the manner prescribed by the communications guidelines as published and directed by the Communications Center.

3. Departmental Cellular Telephones - These devices are issued to carry out the mission of the Department and are not "personal telephones." Officers should use discretion while operating cell phones while a Department vehicle is in motion. In addition, each officer's department issued cell phone will have the Superion "Freedom" app. The "Freedom' app will be utilized by officers when they are out of the police vehicle or are not using their mobile data terminals.

a. Employees should be prepared to explain high usage of data or minutes used. Any use greater than 4GB/monthly or 500 minutes shall be investigated by the internal affairs function.

b. Employees who are issued city-owned smart phones should not expect an expectation of privacy. Their phone is open to inspection by superiors upon request.

4. Personal Cellular Telephones - Officers who have personal cellular phones may utilize their phones while on duty. However, officers should keep personal calls to an absolute minimum, and should use discretion while operating cell phones while in a Department vehicle. Employees need to be mindful that if they utilize their personal cell phones for any form of City business that their cell phones will be subjected to FOIA regulations.

G. Criminal Justice Information System

1. The E-911 Communications Center participates and/or has access to the following local, state and federal criminal justice information systems (CJIS) via remote teletype terminals and computer workstations

a. National Crime Information Center (NCIC);

b. Virginia Crime Information Network (VCIN);

c. Virginia Department of Motor Vehicles and other states driver databases; and

d. Police Department Computer-Aided Dispatch and Records Management System.

2. Expectation of Privacy

a. No Emporia Police Department employee has any expectation of privacy relating to sending or receiving any information through the Criminal Justice Information System.

3. Approved Activities

a. Through CJIS systems, information can be obtained or exchanged regarding wanted and missing persons, stolen vehicles, guns, articles, criminal histories, vehicle registration or driver's licenses. In addition, NCIC/VCIN allows the Department to maintain liaison with other organizations in order to obtain or exchange information related to terrorism.

b. Communications personnel will follow and obey all policies, procedures, guidelines, laws, rules and regulations set forth by this agency and any CJIS system.

c. Communications Officers should refer to CJIS manuals which are located on-line. NCIC/VCIN or any other CJIS system will be utilized by criminal justice agencies for official purposes and only authorized personnel will use the computer workstations or teletype terminals to complete entries, inquiries, or exchange/obtain information.

d. CJIS system information may only be released to authorized department personnel conducting investigations in their official capacity as an Emporia Police Department employee.

4. Prohibited Activities

a. Arbitrary queries into the system for personal use or gain is strictly forbidden.

b. Anyone discovered utilizing the teletype in such a manner will be held liable and is subject to disciplinary action leading up to termination or charged with a criminal offense.

c. Any inappropriate use of the CJIS system by an Emporia Police Department employee may result in civil liability to the agency as well as the employee improperly utilizing the system.

(1) The Virginia State Police may at their discretion suspend or terminate the agency's access to CJIS if the system is not utilized according to VSP rules and regulations.

d. No Emporia Police Department employee may alter, re-configure, delete or change any computer hardware or software. Only the third party IT vendor, in coordination with the Major and the Records Technician may the authority to make any changes to the computer system.

(1) The only CJIS system that the department's third party vendor, Major or Records Technician can alter is the CAD/RMS system.

e. Communications Officers will enter their name and password prior to starting computer operation and sign off whenever being relieved from their position.

f. Communications Officers should never give out their password to anyone.

5. Training

a. All Communications Personnel and the Records Technician will be trained and certified as Full-Access Operators through VCIN.

b. All Communications Personnel and the Records Technician will need to be re-certified as Full-Access Operators prior to the date of their expiration every two years.

c. Communications trainees may utilize the CJIS system under the direction of a certified teletype operator but must be certified and released for solo communications within six (6) months of employment.

d. All Sworn Employees will be trained and certified as Limited-Access Operators through VCIN.

e. All Sworn Employees will be re-certified as limited-access operators through VCIN prior to the date of their expiration every two years.

H. Management Review of Activities

1. It is the responsibility of the administrative staff of the Emporia Police Department to ensure that employees are following the proper procedures relating to the use of computers, smart-phones, e-mails, internet and any criminal justice information system.

2. If an employee experiences problems or their computer crashes, the administrative staff will retrieve the employee's computer and will be sent to the Department's third party vendor to diagnose what the problem is with the computer.

3. If it is determined that inappropriate sites have been visited or the employee altered their issued equipment, then disciplinary action will be taken.

4. The administrative staff will ensure the Police Department active directory is maintained and current.

37.1 COLLECTION AND PRESERVATION OF EVIDENCE

37.1.1 SPECIAL PROCESSING AVAILABILITY

A. It is the responsibility of the first officer at the scene of a crime to secure the scene and prevent the loss of evidence. The officer securing the scene must initiate a log documenting the time and reason for all personnel who enter the crime scene. All personnel at the scene are responsible for not disturbing, touching or handling physical evidence unless there is a threat to the officer's or another's safety or there is a danger that the evidence will be lost or destroyed before it can be processed. If evidence must be handled, it becomes the responsibility of the officer handling the evidence to mark, seal, tag, preserve and properly takes custody of that evidentiary item. The first officer on the scene shall notify their supervisor if they determine that crime scene processing will require specialized skills and techniques.

B. If the supervisor determines that a detective will be needed, and there is not one on duty, the requesting supervisor shall notify the Communications Center who will determine who is on call and have them respond to the scene. When a crime scene is processed by a patrol officer or detective, all evidence obtained will be marked, sealed, tagged and placed in the Property and Evidence Room by that officer. The detective responding to a crime scene or incident will be responsible for photographing, collecting, preserving, transporting and submitting all evidence to the Property and Evidence Room. If an EPD detective is not available, a supervisor may request a State Police evidence technician.

C. Detectives shall respond to all off-duty call outs within one hour. If the one-hour response time cannot be adhered to, the detective shall advise the requesting supervisor immediately. If the on call detective is not responding the duty supervisor shall contact the Captain.

37.1.2 COLLECTION OF KNOWN SAMPLES

A. The laboratory can only compare a known item with an item showing similar characteristics. Sufficient specimens and controls must be submitted for comparisons of such items as hair, blood, saliva, fibers, paint, glass, wood, metal, soil, tool marks, and footwear, handwriting and voice samples.

B. The investigating officer assigned the case will be obtaining any required known specimens, following legal procedures and proper packaging of the evidence.

37.2 OPERATIONS

37.2.1 EVIDENCE PROCESSING

A. Collection of Blood for DUI/DUID Investigations.

1. In any arrest or investigation for DUI/DUID due to alcohol or drugs, the state DUI/DUID collection kit will be utilized. Blood must be withdrawn by a physician, registered nurse, qualified technician or chemist.

2. Blood containers must be sealed with a tape or label that displays the following information:

   a. Name of suspect.

   b. Date and time of collection.

   c. Name of persons collecting and sealing the vial.

B. All vials not mailed immediately will be placed in the Property and Evidence Room.

1. If the blood sample requires a drug analysis, the vial should be mailed with a laboratory request form specifying the drug for which it is to be tested. The envelope should be padded and labeled *Infectious Material*, or *Bio-Hazard*. Vials for blood and drug analysis will be sent to the state designated facility.

C. Collection of Blood and Other Body Fluids.

1. Blood, urine, semen and other body fluids will be collected at a crime scene where they are found by detectives or officers trained in collection procedures established by the Division of Forensic Science.

2. All specimens collected in liquid form will be maintained in the refrigerator in the Property and Evidence Room.

3. All specimens collected will be marked, sealed and tagged as appropriate to identify and preserve them for analysis.

D. Latent Prints - The following guidelines will be adhered to when processing a crime scene for latent prints:

1. Latent print processing should be attempted by the investigating officer at all crime scenes where latent prints may be recovered. If the owner of the property requests no processing, officers shall consider such request in light of the seriousness of the offense, likelihood of damage to the

property and probable value of any evidence to be recovered.

2. During the investigations of major crimes, latent prints developed with fingerprint powder should be photographed on the original object. After being photographed, the latent print may be lifted, or the item itself collected, preserved and packaged.

3. The lifted print is to be placed on a latent fingerprint card and the card shall be completed by the officer.

E. Other Evidence

1. Wet clothing collected as evidence should be air-dried in a secure area. Upon drying, the evidence will be marked, sealed and tagged. If the item is wet due to body fluid it shall be marked on the outside of the package as *Bio-Hazard*.

2. Wet documents collected as evidence should be handled in the same manner as wet clothing.

3. Perishable evidence is to be submitted as detailed in General Order 38.3.2, *Submitting Evidence to the Laboratory.*

4. Firearms shall be submitted to the Property and Evidence Room packaged or tagged separate from other property. All firearms submitted shall be unloaded and made safe. The submitting officer shall query the firearm through VCIN/NCIC.

5. Dangerous drugs submitted to the Property and Evidence Room shall be packaged in an evidence envelope and sealed.

6. All money submitted to the Property and Evidence Room will be counted by the submitting officer and their supervisors. Money shall be tagged and packaged separate from other property. The property/ evidence card must identify the amount of money, who submitted it, and who verified the count.

7. No explosives, dangerous chemicals, nuclear material, volatile fluids, or ammunition greater than .50 calibers will be submitted to the Property and Evidence Room. The responsible supervisor shall contact the Department of Emergency Services when such material is recovered. All such items shall be photographed.

Handling of the items shall be accomplished by the agency trained in the appropriate area of specialization.

8. Hypodermic needles and other sharp weapons or tools submitted to the Property and Evidence Room shall be packaged in a biohazard sharp objects container. This container shall then be placed in a lock seal envelope. The envelope shall be lettered in red ink, *Sharp Object*, and if contaminated with blood or other body fluid shall be marked as *Bio-Hazard*.

F. Processing Stolen Vehicles

1. Stolen vehicles recovered by the Department shall be processed at the location of the recovery by the officer assigned the case, or the officer/detective may choose to have the vehicle towed to the police department for processing in the outside building. If additional expertise is needed a supervisor may request a detective. The officer assigned the case shall ensure the originating agency and the vehicle owner are promptly notified of the recovery.

2. Vehicles reported stolen to the Department but recovered outside of the City may be processed by the recovering agency. All physical evidence recovered will be handled in accordance with the guidelines of this chapter. For towing procedures see General Order 33.4.3, *Abandoned Vehicles, Tow Policy, and Towing Records.*

G. Submitting Physical Evidence

1. All physical evidence collected by an officer shall be documented immediately. The evidence should be placed in an evidence envelope when size permits with a property tag attached. If an envelope is not practical, a property tag should be utilized and attached to the item.

a. All envelopes shall be sealed with the officer's initials and date on *the seal*.

b. Information containing officer's name, case number, date, item number and brief description shall be on the face of the envelope to be completed by the submitting officer.

c. When using a property tag, an indelible pen must be utilized to mark the case number on the tag and it shall

be securely attached to the physical evidence taken into custody.

d. When submitted evidence requires further processing either by the crime lab or departmental personnel, the submitting officer will be responsible for ensuring the Request for Laboratory Examination form is completed.

e. All physical evidence or property collected by an officer shall be listed on a property/evidence card and on the incident report or evidence log sheet. Officers shall complete all pertinent information requests concerning the property or evidence on both reports.

37.2.2 PHOTOGRAPHY/DIGITAL VIDEO RECORDING

A. Purpose –

1. Photographing crime/accident scenes and evidence, through either still photographs or video, is an important step in preserving evidence.

2. Whenever possible, persons trained in photography shall be utilized to photograph/video evidence and/or crime/accident scenes.

3. While photographs and video must be secured in the appropriate case file, nothing in this order is meant to prohibit the copying of these items and using said copies in accordance with department policies and procedures.

4. The photographing of a crime scene, traffic accident or other incident is the responsibility of the investigating officer. Officers should request supervisory assistance or a supervisor may request a detective to photograph the scene or incident.

B. Definitions - For the purpose of this Standard Operating Procedure, the following terms shall apply:

1. **Archive:** The collection of data for long-term storage.
2. **CD/Compact Disc:** optical disc which can store large amounts of data in many formats.

3. **CD-R/Compact Disc Recordable:** a format that allows data to be recorded to a blank CD-R disc one time.

4. **Flash Drive**: a small electronic device containing flash memory

that is used for storing data or transmitting it to or from a computer or a digital camera or video recorder.

5. **Master Copy:** CD-R disc on which "Primary Images" are recorded. Once written to the Master Copy CD, "Primary Images" become "Original Images."

6. **Megapixel:** 1 million pixels

7. **Pixel:** "Picture Element" - the smallest component of a digital image that contains measurable brightness and color.

8. **Original Image:** An accurate and complete replica of the Primary Image, irrespective of media.

9. **Resolution:** The ability of a photographic system (digital or film-based) to record fine detail.

C. Equipment - Digital images will be recorded utilizing only on a department owned digital camera, department issued smart phone or tablet with the following <u>minimum</u> standards:

1. On-camera viewer/viewing screen

2. Close-up capability

3. The single-lens reflex camera will have a removable digital storage media (flash card) must be compatible with the issued camera and with a minimum storage capacity of 64MB.

D. Procedures - All standard departmental policies and procedures in place for crime/accident scene documentation will be followed when using digital imaging equipment.

1. Documentation

a. Each person taking photographs or video shall store the media on a CD-R or a flash drive and then secure them in the investigative case file, at a minimum, state the number of photographs taken.

b. Whenever possible the first photograph should be of the address of the location where the photographs were taken or of some other landmark (i.e. street signs, utility pole number, etc.) so that the photographs can be identified at a later date in court.

c. The following situations should normally be photographed:

(1) Felonies against persons;

(2) Burglaries;

(3) Arsons or suspected arsons;

(4) Suicides;

(5) Search warrants;

(6) Serious traffic accidents;

(7) Any crime scene upon request of the investigating officer;

(8) Excessive force investigations;

(9) Investigations of discharge of firearms by police officers;

(10) Traffic accidents involving City property;

(11) Injuries to citizens or police officers during an arrest;

(12) Injuries to departmental personnel on duty.

(13) Any criminal investigation where photographs are necessary to document the scene.

2. Photographic Evidence

a. Department personnel are authorized to use only digital photographic cameras which have a removable memory device (i.e. memory card) to photograph crime/accident scenes and evidence, or the department issued smart phone or tablet.

b. Digital photographic cameras create images on computer files which are stored on the removable memory devices of the digital cameras. The procedure for securing these photographs shall be as follows:

(1) The photographs from an SLR digital camera, smart phone and tablets shall be removed from the devices by the photographer at the conclusion of the initial crime/accident scene investigation and store on either CR-R discs or flash drives and secured in the case file;

(2) The files shall be removed the camera's memory device.

(3) The officer assigned to photograph the scene shall maintain a record of photographic data. This data shall include:

(a) Date and time pictures were taken;

(b) Location;

(c) Case number;

(d) Suspect information if available;

(e) Type of complaint;

(f) Photographer's information.

(4) The above information should be noted on the incident report or photograph log sheet.

(5) Requests from complainants, legal firms, insurance companies, or outside agencies for copies of photographs shall be forwarded to the Records Technician.

3. Audio/Video Evidence

a. Department personnel are authorized to use department issued audio/video devices which have a removable memory device (i.e. memory card, DVD, video tape, etc.) or their issued smart phone or tablet to audio/video crime/ accident scenes and evidence. These devices may store audio/video by means of a digital computer file(s).

b. Often audio/video recordings are made in close proximity to personnel involved in the investigation. This may lead to distracting audio on the video recording. In order to prevent the distracting audio from being recorded, the video device should be setup in such a manner as to prevent the recording of sound. If this is not possible then the person conducting the recording shall notify all personnel at the scene that they will begin video recording prior to commencing with the video recording.

c. Audio/Video evidence stored on computer files shall be secured as follows:

(1) Audio/video evidenced will be stored by the officer/detective at the conclusion of the initial crime/accident scene investigation and placed into the case file;

(2) Digital Audio/Video Recordings shall be marked by the officer who operates the audio/video recorder and will contain the following information on their labels:

(a) Officer's name.

(b) Case number.

(c) Date and time of recording.

(d) Location of recording.

(e) Digital Audio/Video Recordings shall be stored in properly marked envelopes and stored in the case file.

d. Officers/detectives will not use their personally owned camera, smart phones, tablets to take digital photographs, or to collect audio/video evidence.

37.2.4 FINGERPRINTS

A. Fingerprinting

1. The Department will provide fingerprinting services to Emporia residents and citizens who work within the jurisdiction. Services are provided for identification, pre- employment, and other purposes. Those requesting such services shall provide their own fingerprint cards.

2. Criminal fingerprinting shall be conducted as required in General Order 2.1.4, and in accordance with guidelines prescribed by the F.B.I., and CCRE.

B. Processing for Latent Fingerprints

1. Collection and processing of latent fingerprint evidence by the investigating officer or detective shall be in compliance with procedures outlined in lesson plans during basic academy training, or the DCJS Division of Forensic Science.

2. Latent fingerprint evidence will be stored in Department evidence envelopes. All latent evidence will be forwarded to the Property and Evidence Room for storage, until it is signed for and transported to Division of Forensic Science.

C. Death Scenes - Officers that investigate any death shall check the deceased's name with the Central Criminal Records Exchange (CCRE) and obtain a set of the deceased's fingerprints. The fingerprints and a copy of the report of investigation will be forwarded to the Captain who will file the fingerprints and the State form SP-172, *Death Notice*, with the CCRE. The CCRE will then match the deceased's fingerprints and purge their files.

37.2.5 PROCESSING EQUIPMENT

A. The Support Division Commander will ensure that all personnel assigned to the Criminal Investigations Section be equipped with the following equipment and supplies:

1. Recovery of latent fingerprints;

2. Photography and videography;

3. Sketch of the crime scene;

4. Collection and Preservation of Physical Evidence.

B. Detectives shall always attempt to photograph major crime scenes and attempt to recover all available physical evidence. If no photographs can be taken or no evidence can be collected, the assigned officer or detective shall document in the report of investigation the specific causative factors that inhibited or curtailed these attempts. For this directive, major crimes are: homicide, suicide, robbery, rape, arson, felonious assaults, burglary, breaking and entering, and serious injury or fatal traffic accidents.

C. Criminal Detectives will also maintain a camera in their cruiser to be utilized to photograph crime or accident scenes for patrol officers. Supplies will be stored in the supply locker and will be accessible to all supervisors. Additional supplies will be kept in the Evidence Room supply cabinet.

D. Supervisors will be responsible for the re-supplying of this equipment to their officers.

E. See also General Order 38.2.2 and Section 33.2, *Traffic Accident Investigation*.

37.2.6 CRIME SCENE REPORTING

A. An accurate record of events that transpire at a crime or motor vehicle accident scene in connection with the investigation is required at the time of trial. It is the responsibility of the officer who processes the scene to submit detailed reports describing the sequence of events associated with actions taken in collecting and processing evidence. In addition to the requirements in General Orders 38.2.1, *Evidence Processing,* and 38.2.2, *Photography/Video Taping,* the processing officer shall document the following with an evidence supplement report:

1. Date and time of arrival at the scene.

2. Location of the crime.

3. Name of the victim.

4. Name of the suspect if available.

5. Narrative of the officer's processing actions at the scene, including the number of photographs taken, whether measurements were taken and a listing of physical evidence recovered.

B. If a State Police evidence technician is called to the scene, the officer making the request shall document the date and time of the request and the name of the requesting officer. If the State Police technician prepares his/her own report, a copy of that report shall be obtained by the requesting officer. All information obtained by the evidence technician will be documented with a copy of their report. The requesting officer is responsible for the documentation of this information.

37.2.7 INTERAGENCY COORDINATION

A. The Support Division Commander shall ensure that detectives are properly trained for their positions. All problems or concerns in these areas should be brought to the attention of the Support Division Commander.

B. When requested to respond to a crime scene, detectives have the responsibility and authority to direct and supervise patrol officers, regardless of rank or position, in the processing of the crime scene. At all other times this responsibility lies with the shift supervisor.

37.2.8 PROCEDURES FOR SEIZING COMPUTER EQUIPMENT

A. There may be an occasion when an Emporia Police Officer may need to seize a computer that is related to a

criminal offense. In today's changing world of technology it is imperative that officers be familiar with proper handling of computer equipment, so that valuable evidence is not lost when officers are taking the computer into custody.

B. Below are the following procedures when seizing computers:

1. Secure the Scene

a. Ensure officer safety

b. Preserve the area for fingerprints
c. Immediately restrict access to computer(s) and attached peripherals

2. Secure the Computer as Evidence

a. If the computer is "OFF," Do not turn "ON"

b. If the computer is "ON"

(1) Stand-alone computer (non-network)

(2) Consult computer forensic specialist from the Virginia State Police or the FBI's Computer Analysis Response Team (CART)

c. If a the VSP or FBI specialists are not available:

(1) Photograph screen, then disconnect all power sources, unplug from the back of the computer.

(2) Interrupting power from the back of the computer will defeat an uninterruptible power supply (UPS)

(3) Laptops often have battery power supplies, if the laptop does not shutdown when the power cord is removed, locate and remove the battery pack. The battery is commonly placed on the bottom, and there is usually a button or switch that allows for the removal of the battery. Once the battery is removed, do not return it to or

store it in the laptop. Removing the battery will prevent accidental start-up of the laptop.

(4) Place evidence tape over each drive slot.

(5) Photograph/diagram and label back of computer components with existing connections.

(6) Label all connector/cables ends to allow reassembly as needed.

(7) If transporting is required, package components and transport/store components as fragile cargo.

(8) Keep away from magnets, radio transmitters and other potentially damaging elements.

(9) Collect all peripheral devices, cable, keyboards, and monitors.

(10) Collect instruction manuals, documentation, and notes

(11) User notes may contain passwords

d. Networked or Business Computers

(1) Consult a Computer Specialist from the Virginia State Police for further assistance.

(2) Pulling the plug could:

(a) Severely damage the system

(b) Disrupt legitimate business

(c) Create officer and department liability

37.2.9 DNA EVIDENCE

A. PURPOSE:

The purpose of this directive is to establish guidelines and procedures for officers and detectives in the proper documentation, collection, packaging, and submission to forensic laboratories of DNA evidence.

B. DISCUSSION:

Precise documentation, collection, preservation and submission of physical evidence to forensic laboratories may provide the key ingredients of any criminal investigation. The crime scene is most often the starting point of any investigation. Through evidence located at the scene, suspects are developed or eliminated and investigative leads are established. Law Enforcement must always be aware that physical evidence collected at a crime scene may have to be presented in a court of law; therefore, it is important that each individual exercise care in processing a crime scene so as not to overlook valuable evidence or contaminate or destroy collectible items.

C. PROCEDURES:

Because extremely small samples of DNA can be used as evidence; and due to the possibility of secondary transfer of DNA from one object to another, greater attention to contamination and meticulous collection and preservation is necessary. Potential contamination of physical evidence can occur at the crime scene, during the collection, packaging, and transportation of the evidence to the property and evidence custodian or the laboratory, and during evidence analysis and storage. Recent advances in forensic DNA technology make it even more important that law enforcement personnel become more aware of the issues surrounding the preservation of DNA evidence.

1. Training

    a. Each member of the Criminal Investigations Section will receive special training that includes the best practices for the identification, preservation, and collection of DNA evidence along with packaging of DNA for submission to an accredited laboratory.

    b. Members of the Criminal Investigations Section periodic training to patrol officers during roll call briefings on the identification, preservation, collection, and packaging requirement for DNA submissions. This training will take place as new information is developed or when determined necessary by appropriate administration.

2. Responding Officer Responsibilities:

    a. The first responding officer is responsible for protecting the crime scene to the best of their ability until relieved by another member of the police department. It is understood that the preservation of life or bodily injury or the apprehension of a possible suspect may prevent immediate attention to the preservation of the crime scene area.

b. The first responding officer shall notify the on-duty supervisor immediately if they believe that there is a need for a detective. The on-duty supervisor will determine when or if a detective will be requested. Contact will then be made with the on-duty detective to request assistance.

c. Determine the dimensionality of any crime scene that will require evidence processing and extend the barriers well past the area where evidence may be located. Indoor scenes, by virtue of being enclosed structures, are easier to secure. Outdoor scenes may require additional personnel to properly protect.

d. Police crime scene tape shall be used to secure the boundaries of such a crime scene when possible. A visual boundary to the scene assists in restricting access and reducing possible contamination. Only individuals with a need to be within the secured boundaries will enter the crime scene once it has been established and/or secured.

e. The officer in charge of securing a crime scene shall seek to limit all subjects and personnel from entering, regardless of the person's position or rank. If any individual insists on the need to enter the crime scene area, the officer securing the crime scene will document the person's name, time of entry, and reason stated for entry and request the person initial the log. The crime scene personnel log is the only acceptable form to use for tracking this information.

3. Collection, Storage, and Transportation of DNA Evidence:

a. Any crime scene that the on-duty supervisor has determined to be one that may require the collection of DNA evidence from the scene will result in the notification of a detective. Crime scenes that may require the response of a detective include homicide, sexual assault when a crime scene has been identified, and burglaries that involve serious bodily injury to a victim and suspect DNA evidence is believed to exist. The Department of Forensic Science will accept at least two submissions for DNA on all felony cases without a letter from the Commonwealth Attorney's Office. Any submissions on misdemeanor cases will require a consult with the Department of Forensic Science and a letter from the Commonwealth Attorney's Office.

b. To reduce the risk of contamination or destruction, a systematic approach to collect evidence is suggested. Trace evidence, hair, fibers and biological fluids should be collected first. This should be followed with the collection of visible fingerprint or footwear patterns, tool marks, and finally, evidence that requires powder or chemical enhancement. Ultimately, the decision on what processing steps are needed in the crime scene is left to the judgment of the detective.

c. DNA samples of known suspects may be collected by sworn personnel by using the suspect buccal swab collection kit (for DNA testing).

d. Items should be air dried thoroughly before packaging. The on-duty supervisor will need to contact the Property and Evidence Custodian if items

need to be left for a time period to air dry. Officers will not package items that are still wet. Items will not be left in direct sunlight to dry as evidence may be destroyed.

e. Each piece of evidence will be packaged separately in paper bags, paper envelopes, breathable evidence pouches, or appropriate cardboard boxes that are supplied by the Department for such use. Each item will be sealed properly.

f. Do not use plastic bags or staples in packaging DNA evidence.

g. Liquid specimens will be stored in the property/evidence refrigerator.

h. When transporting DNA evidence to the laboratory, it shall be kept dry and at room temperature.

4. Submission of DNA Evidence to Division of Forensic Science Laboratories:

a. Requests for DNA analysis may be submitted, along with the evidence, to the Division of Forensic Science crime laboratory;

b. The investigating officer assigned to a particular case is responsible for requesting laboratory examinations and for identifying what forensic test(s) should be performed.

c. All examination request forms will be completed in full and either type written or neatly printed. The top copy of the form will be submitted to Property/Evidence. The original form will accompany all evidence to the Forensic Laboratory for analysis.

d. The state laboratory requests that officers check with known suspects or victims for any known diseases, including AIDS, HIV, Hepatitis, TB, or venereal diseases prior to submitting DNA evidence for analysis. This information shall be noted on the request for laboratory examination form.

e. The Property and Evidence Custodian will deliver evidence to the forensic lab weekly for DNA examination.

f. All evidence delivered to the forensic laboratory will be properly receipted by having the official accepting custody complete the chain of custody section on the request for laboratory examination form.

g. When evidence is released from the Forensic Laboratory, the Property/Evidence Custodian, that receives custody of the evidence will sign and date the request for laboratory examination form and will file it in the appropriate case file.

h. The agency will receive the written results by a certificate of analysis with the findings of the lab. The certificate of analysis is sent to the investigating officer who is required to file the certificate of analysis with the appropriate

clerk of court. A copy of the certificate of analysis will be filed in the case folder.

5. Combined DNA Index System (CODIS):

a. CODIS is an electronic database of DNA profiles that can identify suspects, and is similar to the AFIS database used for fingerprint identification. All states have implemented a DNA index of individuals convicted of certain crimes. This CODIS System is available through the Division of Forensic Science if requested by law enforcement.

37.3 EVIDENCE HANDLING

37.3.1 TRANSFER OF EVIDENCE

A. No item shall be released from the Property and Evidence Room without the property officer recording the transaction in the computer. All transfers shall be documented with the date and time of transfer, officer that received or relinquished the property, and location or destination of the property. Officers shall document laboratory actions, court actions, and all dispositions of property with a supplemental report.

37.3.2 SUBMITTING EVIDENCE TO THE LABORATORY

A. The Emporia Police Department utilizes the services of the Virginia Forensic Science Laboratory for evidence submission and analysis. In rare cases, the Police Department may utilize the Federal Bureau of Investigations Crime Lab. Both of these laboratories are accredited by ANSI National Accreditation Board.

B All evidence is to be submitted to the Property and Evidence Room as soon as practical to preserve the chain of evidence. Non-perishable evidence will be secured in the Evidence/Property and Evidence Room until it is transferred to the crime lab.

1. The Property/Evidence Clerk or their Back-Up is responsible for delivering and retrieving evidence to and from the laboratory.

C. Perishable evidence is defined as fresh blood, blood stained objects, other physiological stains and tissues, and biological materials.

1. Fresh Blood. If possible, submit one tube (15ml) of un-clotted blood per specific analysis request. Identify and seal the sample. Submit the sample the same day, or refrigerate it until it can be transferred to the laboratory.

2. Dry Blood. Submit the item if possible. If not possible, moisten a sterile cotton swab using one to two drops of distilled water. Saturate one swab with the stain before absorbing onto the next swab. Allow the swabs to air dry and then package them separately in swab boxes. Only use one end of the cotton swab and submit only two saturated swabs to the forensic laboratory for analysis. Submit it the same day or transport it to the forensic laboratory within a week.

3. Physiological stains, tissues, and biological materials should be submitted in the same manner as blood. All wet blood, wet tissue, or wet stains and secretions will deteriorate unless cared for properly. When submitting these items to the laboratory, indicate to the laboratory personnel that these types of samples are enclosed. See also the Division of Forensic Science*, Physical Evidence Collection Guide*.

D. In the event perishable evidence is delayed in submission to the laboratory, it will be documented on the lab request and the report of investigation.

E. The detective at the scene should take custody of the evidence and is responsible for submission of a laboratory examination request form.

F. In cases where more than one officer has processed the scene, the officer or detective actually assigned the case shall take custody of all evidence collected and be responsible for the submission of the evidence to the Evidence/Property and Evidence Room.

G. All officers submitting evidence to the laboratory for examination shall complete the state form, *Request for Laboratory Examination.* The following information is required upon delivery:

1. Printed name and signature of officer last having custody of the item.

2. Date of submission/mailing and method used for transmission.

3. Date of receipt in the laboratory.

4. Signature of the person in the laboratory receiving the evidence.

H. Officers shall maintain a copy of the *Request for Laboratory Examination* form with their case file.

I. When a *Request for Laboratory Examination* form is filed,

officers will receive written results from the state lab regarding the laboratory examinations requested.

J. Officers need to be aware that if they receive the original copy of the lab results it must be filed with the proper court in a timely manner before trial.

37.1 COLLECTION AND PRESERVATION OF EVIDENCE

37.1.1 SPECIAL PROCESSING AVAILABILITY

A. It is the responsibility of the first officer at the scene of a crime to secure the scene and prevent the loss of evidence. The officer securing the scene must initiate a log documenting the time and reason for all personnel who enter the crime scene. All personnel at the scene are responsible for not disturbing, touching or handling physical evidence unless there is a threat to the officer's or another's safety or there is a danger that the evidence will be lost or destroyed before it can be processed. If evidence must be handled, it becomes the responsibility of the officer handling the evidence to mark, seal, tag, preserve and properly takes custody of that evidentiary item. The first officer on the scene shall notify their supervisor if they determine that crime scene processing will require specialized skills and techniques.

B. If the supervisor determines that a detective will be needed, and there is not one on duty, the requesting supervisor shall notify the Communications Center who will determine who is on call and have them respond to the scene. When a crime scene is processed by a patrol officer or detective, all evidence obtained will be marked, sealed, tagged and placed in the Property and Evidence Room by that officer. The detective responding to a crime scene or incident will be responsible for photographing, collecting, preserving, transporting and submitting all evidence to the Property and Evidence Room. If an EPD detective is not available, a supervisor may request a State Police evidence technician.

C. Detectives shall respond to all off-duty call outs within one hour. If the one-hour response time cannot be adhered to, the detective shall advise the requesting supervisor immediately. If the on call detective is not responding the duty supervisor shall contact the Captain.

37.1.2 COLLECTION OF KNOWN SAMPLES

A. The laboratory can only compare a known item with an item showing similar characteristics. Sufficient specimens and controls must be submitted for comparisons of such items as hair, blood, saliva, fibers, paint, glass, wood, metal, soil, tool marks, and footwear, handwriting and voice samples.

B. The investigating officer assigned the case will be

obtaining any required known specimens, following legal procedures and proper packaging of the evidence.

37.2 OPERATIONS

37.2.1 EVIDENCE PROCESSING

A. Collection of Blood for DUI/DUID Investigations.

1. In any arrest or investigation for DUI/DUID due to alcohol or drugs, the state DUI/DUID collection kit will be utilized. Blood must be withdrawn by a physician, registered nurse, qualified technician or chemist.

2. Blood containers must be sealed with a tape or label that displays the following information:

   a. Name of suspect.

   b. Date and time of collection.

   c. Name of persons collecting and sealing the vial.

B. All vials not mailed immediately will be placed in the Property and Evidence Room.

1. If the blood sample requires a drug analysis, the vial should be mailed with a laboratory request form specifying the drug for which it is to be tested. The envelope should be padded and labeled *Infectious Material*, or *Bio-Hazard*. Vials for blood and drug analysis will be sent to the state designated facility.

C. Collection of Blood and Other Body Fluids.

1. Blood, urine, semen and other body fluids will be collected at a crime scene where they are found by detectives or officers trained in collection procedures established by the Division of Forensic Science.

2 . All specimens collected in liquid form will be maintained in the refrigerator in the Property and Evidence Room.

3. All specimens collected will be marked, sealed and tagged as appropriate to identify and preserve them for analysis.

D. Latent Prints - The following guidelines will be adhered to when processing a crime scene for latent prints:

1. Latent print processing should be attempted by the investigating officer at all crime scenes where latent prints may be recovered. If the owner of the property requests no processing, officers shall consider such request in light of the seriousness of the offense, likelihood of damage to the property and probable value of any evidence to be recovered.

2. During the investigations of major crimes, latent prints developed with fingerprint powder should be photographed on the original object. After being photographed, the latent print may be lifted, or the item itself collected, preserved and packaged.

3. The lifted print is to be placed on a latent fingerprint card and the card shall be completed by the officer.

E. Other Evidence

1. Wet clothing collected as evidence should be air-dried in a secure area. Upon drying, the evidence will be marked, sealed and tagged. If the item is wet due to body fluid it shall be marked on the outside of the package as *Bio-Hazard*.

2. Wet documents collected as evidence should be handled in the same manner as wet clothing.

3. Perishable evidence is to be submitted as detailed in General Order 38.3.2, *Submitting Evidence to the Laboratory.*

4. Firearms shall be submitted to the Property and Evidence Room packaged or tagged separate from other property. All firearms submitted shall be unloaded and made safe. The submitting officer shall query the firearm through VCIN/NCIC.

5. Dangerous drugs submitted to the Property and Evidence Room shall be packaged in an evidence

envelope and sealed.

6. All money submitted to the Property and Evidence Room will be counted by the submitting officer and their supervisors. Money shall be tagged and packaged separate from other property. The property/ evidence card must identify the amount of money, who submitted it, and who verified the count.

7. No explosives, dangerous chemicals, nuclear material, volatile fluids, or ammunition greater than .50 calibers will be submitted to the Property and Evidence Room. The responsible supervisor shall contact the Department of Emergency Services when such material is recovered. All such items shall be photographed. Handling of the items shall be accomplished by the agency trained in the appropriate area of specialization.

8. Hypodermic needles and other sharp weapons or tools submitted to the Property and Evidence Room shall be packaged in a biohazard sharp objects container. This container shall then be placed in a lock seal envelope. The envelope shall be lettered in red ink, *Sharp Object*, and if contaminated with blood or other body fluid shall be marked as *Bio-Hazard*.

F. Processing Stolen Vehicles

1. Stolen vehicles recovered by the Department shall be processed at the location of the recovery by the officer assigned the case, or the officer/detective may choose to have the vehicle towed to the police department for processing in the outside building. If additional expertise is needed a supervisor may request a detective. The officer assigned the case shall ensure the originating agency and the vehicle owner are promptly notified of the recovery.

2. Vehicles reported stolen to the Department but recovered outside of the City may be processed by the recovering agency. All physical evidence recovered will be handled in accordance with the guidelines of this chapter. For towing procedures see General Order 33.4.3, *Abandoned Vehicles, Tow Policy, and Towing Records.*

G. Submitting Physical Evidence

1. All physical evidence collected by an officer shall be documented immediately. The evidence should be placed in an evidence envelope when size permits with a property tag attached. If an envelope is not practical, a property tag should be utilized and attached to the item.

a. All envelopes shall be sealed with the officer's initials and date on *the seal*.

b. Information containing officer's name, case number, date, item number and brief description shall be on the face of the envelope to be completed by the submitting officer.

c. When using a property tag, an indelible pen must be utilized to mark the case number on the tag and it shall be securely attached to the physical evidence taken into custody.

d. When submitted evidence requires further processing either by the crime lab or departmental personnel, the submitting officer will be responsible for ensuring the Request for Laboratory Examination form is completed.

e. All physical evidence or property collected by an officer shall be listed on a property/evidence card and on the incident report or evidence log sheet. Officers shall complete all pertinent information requests concerning the property or evidence on both reports.

37.2.2 PHOTOGRAPHY/DIGITAL VIDEO RECORDING

A. Purpose –

1. Photographing crime/accident scenes and evidence, through either still photographs or video, is an important step in preserving evidence.

2. Whenever possible, persons trained in photography shall be utilized to photograph/video evidence and/or crime/accident scenes.

3. While photographs and video must be secured in the appropriate case file, nothing in this order is meant to prohibit the copying of these items and using said copies in accordance with department policies and procedures.

4. The photographing of a crime scene, traffic accident or other incident is the responsibility of the investigating officer. Officers should request supervisory assistance or a supervisor may request a detective to photograph the scene or incident.

B. Definitions - For the purpose of this Standard Operating Procedure, the following terms shall apply:

1. **Archive:** The collection of data for long-term storage.

2. **CD/Compact Disc:** optical disc which can store large amounts of data in many formats.

3. **CD-R/Compact Disc Recordable:** a format that allows data to be recorded to a blank CD-R disc one time.

4. **Flash Drive**: a small electronic device containing flash memory that is used for storing data or transmitting it to or from a computer or a digital camera or video recorder.

5. **Master Copy:** CD-R disc on which "Primary Images" are recorded. Once written to the Master Copy CD, "Primary Images" become "Original Images."

6. **Megapixel:** 1 million pixels

7. **Pixel:** "Picture Element" - the smallest component of a digital image that contains measurable brightness and color.

8. **Original Image:** An accurate and complete replica of the Primary Image, irrespective of media.

9. **Resolution:** The ability of a photographic system (digital or film-based) to record fine detail.

C. Equipment - Digital images will be recorded utilizing only on a department owned digital camera, department issued smart phone or tablet with the following <u>minimum</u> standards:

1. On-camera viewer/viewing screen

2. Close-up capability

3. The single-lens reflex camera will have a removable digital storage media (flash card) must be compatible with the issued camera and with a minimum storage capacity of 64MB.

D. Procedures - All standard departmental policies and procedures in place for crime/accident scene documentation will be followed when using digital imaging equipment.

1. Documentation

a. Each person taking photographs or video shall store the media on a CD-R or a flash drive and then secure them in the investigative case file, at a minimum, state the number of photographs taken.

b. Whenever possible the first photograph should be of the address of the location where the photographs were taken or of some other landmark (i.e. street signs, utility pole number, etc.) so that the photographs can be identified at a later date in court.

c. The following situations should normally be photographed:

(1) Felonies against persons;

(2) Burglaries;

(3) Arsons or suspected arsons;

(4) Suicides;

(5) Search warrants;

(6) Serious traffic accidents;

(7) Any crime scene upon request of the investigating officer;

(8) Excessive force investigations;

(9) Investigations of discharge of firearms by police officers;

(10) Traffic accidents involving City property;

(11) Injuries to citizens or police officers during an arrest;

(12) Injuries to departmental personnel on duty.

(13) Any criminal investigation where photographs are necessary to document the scene.

2. Photographic Evidence

a. Department personnel are authorized to use only digital photographic cameras which have a removable memory device (i.e. memory card) to photograph crime/accident scenes and evidence, or the department issued smart phone or tablet.

b. Digital photographic cameras create images on computer files which are stored on the removable memory devices of the digital cameras. The procedure for securing these photographs shall be as follows:

(1) The photographs from an SLR digital camera, smart phone and tablets shall be removed from the devices by the photographer at the conclusion of the initial crime/accident scene investigation and store on either CR-R discs or flash drives and secured in the case file;

(2) The files shall be removed the camera's memory device.

(3) The officer assigned to photograph the scene shall maintain a record of photographic data. This data shall include:

(a) Date and time pictures were taken;

(b) Location;

(c) Case number;

(d) Suspect information if available;

(e) Type of complaint;

(f) Photographer's information.

(4) The above information should be noted on the incident report or photograph log sheet.

(5) Requests from complainants, legal firms, insurance companies, or outside agencies for copies of photographs shall be forwarded to the Records Technician.

3. Audio/Video Evidence

a. Department personnel are authorized to use department issued audio/video devices which have a removable memory device (i.e. memory card, DVD, video tape, etc.) or their issued smart phone or tablet to audio/video crime/ accident scenes and evidence. These devices may store audio/video by means of a digital computer file(s).

b. Often audio/video recordings are made in close proximity to personnel involved in the investigation. This may lead to distracting audio on the video recording. In order to prevent the distracting audio from being recorded, the video device should be setup in such a manner as to prevent the recording of sound. If this is not possible then the person conducting the recording shall notify all personnel at the scene that they will begin video recording prior to commencing with the video recording.

c. Audio/Video evidence stored on computer files shall be secured as follows:

(1) Audio/video evidenced will be stored by the officer/detective at the conclusion of the initial crime/accident scene investigation and placed into the case file;

(2) Digital Audio/Video Recordings shall be marked by the officer who operates the audio/video recorder and will contain the following information on their labels:

(a) Officer’s name.

(b) Case number.

(c) Date and time of recording.

(d) Location of recording.

(e) Digital Audio/Video Recordings shall be stored in properly marked envelopes and stored in the case file.

d. Officers/detectives will not use their personally owned camera, smart phones, tablets to take digital photographs, or to collect audio/video evidence.

37.2.4 FINGERPRINTS

A. Fingerprinting

1. The Department will provide fingerprinting services to Emporia residents and citizens who work within the jurisdiction. Services are provided for identification, pre- employment, and other purposes. Those requesting such services shall provide their own fingerprint cards.

2. Criminal fingerprinting shall be conducted as required in General Order 2.1.4, and in accordance with guidelines prescribed by the F.B.I., and CCRE.

B. Processing for Latent Fingerprints

1. Collection and processing of latent fingerprint evidence by the investigating officer or detective shall be in compliance with procedures outlined in lesson plans during basic academy training, or the DCJS Division of Forensic Science.

2. Latent fingerprint evidence will be stored in Department evidence envelopes. All latent evidence will be forwarded to the Property and Evidence Room for storage, until it is signed for and transported to Division of Forensic Science.

C. Death Scenes - Officers that investigate any death shall check the deceased's name with the Central Criminal Records Exchange (CCRE) and obtain a set of the deceased's fingerprints. The fingerprints and a copy of the report of investigation will be forwarded to the Captain who will file the fingerprints and the State form SP-172, *Death Notice*, with the CCRE. The CCRE will then match the deceased's fingerprints and purge their files.

37.2.5 PROCESSING EQUIPMENT

A. The Support Division Commander will ensure that all personnel assigned to the Criminal Investigations Section be equipped with the following equipment and supplies:

1. Recovery of latent fingerprints;

2. Photography and videography;

3. Sketch of the crime scene;

4. Collection and Preservation of Physical Evidence.

B. Detectives shall always attempt to photograph major crime scenes and attempt to recover all available physical evidence. If no photographs can be taken or no evidence can be collected, the assigned officer or detective shall document in the report of investigation the specific causative factors that inhibited or curtailed these attempts. For this directive, major crimes are: homicide, suicide, robbery, rape, arson, felonious assaults, burglary, breaking and entering, and serious injury or fatal traffic accidents.

C. Criminal Detectives will also maintain a camera in their cruiser to be utilized to photograph crime or accident scenes for patrol officers. Supplies will be stored in the supply locker and will be accessible to all supervisors. Additional supplies will be kept in the Evidence Room supply cabinet.

D. Supervisors will be responsible for the re-supplying of this equipment to their officers.

E. See also General Order 38.2.2 and Section 33.2, *Traffic Accident Investigation*.

37.2.6 CRIME SCENE REPORTING

A. An accurate record of events that transpire at a crime or motor vehicle accident scene in connection with the investigation is required at the time of trial. It is the responsibility of the officer who processes the scene to submit detailed reports describing the sequence of events associated with actions taken in collecting and processing evidence. In addition to the requirements in General Orders 38.2.1, *Evidence Processing,* and 38.2.2, *Photography/Video*

Taping, the processing officer shall document the following with an evidence supplement report:

1. Date and time of arrival at the scene.

2. Location of the crime.

3. Name of the victim.

4. Name of the suspect if available.

5. Narrative of the officer's processing actions at the scene, including the number of photographs taken, whether measurements were taken and a listing of physical evidence recovered.

B. If a State Police evidence technician is called to the scene, the officer making the request shall document the date and time of the request and the name of the requesting officer. If the State Police technician prepares his/her own report, a copy of that report shall be obtained by the requesting officer. All information obtained by the evidence technician will be documented with a copy of their report. The requesting officer is responsible for the documentation of this information.

37.2.7 INTERAGENCY COORDINATION

A. The Support Division Commander shall ensure that detectives are properly trained for their positions. All problems or concerns in these areas should be brought to the attention of the Support Division Commander.

B. When requested to respond to a crime scene, detectives have the responsibility and authority to direct and supervise patrol officers, regardless of rank or position, in the processing of the crime scene. At all other times this responsibility lies with the shift supervisor.

37.2.8 PROCEDURES FOR SEIZING COMPUTER EQUIPMENT

A. There may be an occasion when an Emporia Police Officer may need to seize a computer that is related to a criminal offense. In today's changing world of technology it is imperative that officers be familiar with proper handling of computer equipment, so that valuable evidence is not lost when officers are taking the computer into custody.

B. Below are the following procedures when seizing computers:

1. Secure the Scene

   a. Ensure officer safety

   b. Preserve the area for fingerprints
   c. Immediately restrict access to computer(s) and attached peripherals

2. Secure the Computer as Evidence

   a. If the computer is “OFF,” Do not turn “ON”

   b. If the computer is “ON”

      (1) Stand-alone computer (non-network)

      (2) Consult computer forensic specialist from the Virginia State Police or the FBI’s Computer Analysis Response Team (CART)

   c. If a the VSP or FBI specialists are not available:

      (1) Photograph screen, then disconnect all power sources, unplug from the back of the computer.

      (2) Interrupting power from the back of the computer will defeat an uninterruptible power supply (UPS)

      (3) Laptops often have battery power supplies, if the laptop does not shutdown when the power cord is removed, locate and remove the battery pack. The battery is commonly placed on the bottom, and there is usually a button or switch that allows for the removal of the battery. Once the battery is removed, do not return it to or store it in the laptop. Removing the battery will prevent accidental start-up of the laptop.

(4) Place evidence tape over each drive slot.

(5) Photograph/diagram and label back of computer components with existing connections.

(6) Label all connector/cables ends to allow reassembly as needed.

(7) If transporting is required, package components and transport/store components as fragile cargo.

(8) Keep away from magnets, radio transmitters and other potentially damaging elements.

(9) Collect all peripheral devices, cable, keyboards, and monitors.

(10) Collect instruction manuals, documentation, and notes

(11) User notes may contain passwords

d. Networked or Business Computers

(1) Consult a Computer Specialist from the Virginia State Police for further assistance.

(2) Pulling the plug could:

(a) Severely damage the system

(b) Disrupt legitimate business

(c) Create officer and department liability

37.2.9 DNA EVIDENCE

A. PURPOSE:

The purpose of this directive is to establish guidelines and procedures for officers and detectives in the proper documentation, collection, packaging, and submission to forensic laboratories of DNA evidence.

B. DISCUSSION:

Precise documentation, collection, preservation and submission of physical evidence to forensic laboratories may provide the key ingredients of any criminal investigation. The crime scene is most often the starting point of any investigation. Through evidence located at the scene, suspects are developed or eliminated and investigative leads are established. Law Enforcement must always be aware that physical evidence collected at a crime scene may have to be presented in a court of law; therefore, it is important that each individual exercise care in processing a crime scene so as not to overlook valuable evidence or contaminate or destroy collectible items.

C. PROCEDURES:

Because extremely small samples of DNA can be used as evidence; and due to the possibility of secondary transfer of DNA from one object to another, greater attention to contamination and meticulous collection and preservation is necessary. Potential contamination of physical evidence can occur at the crime scene, during the collection, packaging, and transportation of the evidence to the property and evidence custodian or the laboratory, and during evidence analysis and storage. Recent advances in forensic DNA technology make it even more important that law enforcement personnel become more aware of the issues surrounding the preservation of DNA evidence.

1. Training

    a. Each member of the Criminal Investigations Section will receive special training that includes the best practices for the identification, preservation, and collection of DNA evidence along with packaging of DNA for submission to an accredited laboratory.

    b. Members of the Criminal Investigations Section periodic training to patrol officers during roll call briefings on the identification, preservation, collection, and packaging requirement for DNA submissions. This training will take place as new information is developed or when determined necessary by appropriate administration.

2. Responding Officer Responsibilities:

a. The first responding officer is responsible for protecting the crime scene to the best of their ability until relieved by another member of the police department. It is understood that the preservation of life or bodily injury or the apprehension of a possible suspect may prevent immediate attention to the preservation of the crime scene area.

b. The first responding officer shall notify the on-duty supervisor immediately if they believe that there is a need for a detective. The on-duty supervisor will determine when or if a detective will be requested. Contact will then be made with the on-duty detective to request assistance.

c. Determine the dimensionality of any crime scene that will require evidence processing and extend the barriers well past the area where evidence may be located. Indoor scenes, by virtue of being enclosed structures, are easier to secure. Outdoor scenes may require additional personnel to properly protect.

d. Police crime scene tape shall be used to secure the boundaries of such a crime scene when possible. A visual boundary to the scene assists in restricting access and reducing possible contamination. Only individuals with a need to be within the secured boundaries will enter the crime scene once it has been established and/or secured.

e. The officer in charge of securing a crime scene shall seek to limit all subjects and personnel from entering, regardless of the person's position or rank. If any individual insists on the need to enter the crime scene area, the officer securing the crime scene will document the person's name, time of entry, and reason stated for entry and request the person initial the log. The crime scene personnel log is the only acceptable form to use for tracking this information.

3. Collection, Storage, and Transportation of DNA Evidence:

a. Any crime scene that the on-duty supervisor has determined to be one that may require the collection of DNA evidence from the scene will result in the notification of a detective. Crime scenes that may require the response of a detective include homicide, sexual assault when a crime scene has been identified, and burglaries that involve serious bodily injury to a victim and suspect DNA evidence is believed to exist. The Department of Forensic Science will accept at least two submissions for DNA on all felony cases without a letter from the Commonwealth Attorney's Office. Any submissions on misdemeanor cases will require a consult with the Department of Forensic Science and a letter from the Commonwealth Attorney's Office.

b. To reduce the risk of contamination or destruction, a systematic approach to collect evidence is suggested. Trace evidence, hair, fibers and biological fluids should be collected first. This should be followed with the collection of

visible fingerprint or footwear patterns, tool marks, and finally, evidence that requires powder or chemical enhancement. Ultimately, the decision on what processing steps are needed in the crime scene is left to the judgment of the detective.

c. DNA samples of known suspects may be collected by sworn personnel by using the suspect buccal swab collection kit (for DNA testing).

d. Items should be air dried thoroughly before packaging. The on-duty supervisor will need to contact the Property and Evidence Custodian if items need to be left for a time period to air dry. Officers will not package items that are still wet. Items will not be left in direct sunlight to dry as evidence may be destroyed.

e. Each piece of evidence will be packaged separately in paper bags, paper envelopes, breathable evidence pouches, or appropriate cardboard boxes that are supplied by the Department for such use. Each item will be sealed properly.

f. Do not use plastic bags or staples in packaging DNA evidence.

g. Liquid specimens will be stored in the property/evidence refrigerator.

h. When transporting DNA evidence to the laboratory, it shall be kept dry and at room temperature.

4. Submission of DNA Evidence to Division of Forensic Science Laboratories:

a. Requests for DNA analysis may be submitted, along with the evidence, to the Division of Forensic Science crime laboratory;

b. The investigating officer assigned to a particular case is responsible for requesting laboratory examinations and for identifying what forensic test(s) should be performed.

c. All examination request forms will be completed in full and either type written or neatly printed. The top copy of the form will be submitted to Property/Evidence. The original form will accompany all evidence to the Forensic Laboratory for analysis.

d. The state laboratory requests that officers check with known suspects or victims for any known diseases, including AIDS, HIV, Hepatitis, TB, or venereal diseases prior to submitting DNA evidence for analysis. This information shall be noted on the request for laboratory examination form.

e. The Property and Evidence Custodian will deliver evidence to the forensic lab weekly for DNA examination.

f. All evidence delivered to the forensic laboratory will be properly receipted by having the official accepting custody complete the chain of custody section on the request for laboratory examination form.

g. When evidence is released from the Forensic Laboratory, the Property/Evidence Custodian, that receives custody of the evidence will sign and date the request for laboratory examination form and will file it in the appropriate case file.

h. The agency will receive the written results by a certificate of analysis with the findings of the lab. The certificate of analysis is sent to the investigating officer who is required to file the certificate of analysis with the appropriate clerk of court. A copy of the certificate of analysis will be filed in the case folder.

5. Combined DNA Index System (CODIS):

a. CODIS is an electronic database of DNA profiles that can identify suspects, and is similar to the AFIS database used for fingerprint identification. All states have implemented a DNA index of individuals convicted of certain crimes. This CODIS System is available through the Division of Forensic Science if requested by law enforcement.

37.3 EVIDENCE HANDLING

37.3.1 TRANSFER OF EVIDENCE

A. No item shall be released from the Property and Evidence Room without the property officer recording the transaction in the computer. All transfers shall be documented with the date and time of transfer, officer that received or relinquished the property, and location or destination of the property. Officers shall document laboratory actions, court actions, and all dispositions of property with a supplemental report.

37.3.2 SUBMITTING EVIDENCE TO THE LABORATORY

A. All evidence is to be submitted to the Property and Evidence Room as soon as practical to preserve the chain of evidence. Non-perishable evidence will be secured in the Evidence/Property and Evidence Room until it is transferred to the crime lab.

1. The Property/Evidence Clerk or their Back-Up is responsible for delivering and retrieving evidence to and from the laboratory.

B. Perishable evidence is defined as fresh blood, blood stained objects, other physiological stains and tissues, and biological materials.

1. Fresh Blood. If possible, submit one tube (15ml) of un-clotted blood per specific analysis request. Identify and seal the sample. Submit the sample the same day, or refrigerate it until it can be transferred to the laboratory.

2. Dry Blood. Submit the item if possible. If not possible, moisten a sterile cotton swab using one to two drops of distilled water. Saturate one swab with the stain before absorbing onto the next swab. Allow the swabs to air dry and then package them separately in swab boxes. Only use one end of the cotton swab and submit only two saturated swabs to the forensic laboratory for analysis. Submit it the same day or transport it to the forensic laboratory within a week.

3. Physiological stains, tissues, and biological materials should be submitted in the same manner as blood. All wet blood, wet tissue, or wet stains and secretions will deteriorate unless cared for properly. When submitting these items to the laboratory, indicate to the laboratory personnel that these types of samples are enclosed. See also the Division of Forensic Science*, Physical Evidence Collection Guide*.

C. In the event perishable evidence is delayed in submission to the laboratory, it will be documented on the lab request and the report of investigation.

D. The detective at the scene should take custody of the evidence and is responsible for submission of a laboratory examination request form.

E. In cases where more than one officer has processed the scene, the officer or detective actually assigned the case shall take custody of all evidence collected and be responsible for the submission of the evidence to the Evidence/Property and Evidence Room.

F. All officers submitting evidence to the laboratory for examination shall complete the state form, *Request for Laboratory Examination.* The following information is required upon delivery:

1. Printed name and signature of officer last having custody of the item.

2. Date of submission/mailing and method used for transmission.

3. Date of receipt in the laboratory.

4. Signature of the person in the laboratory receiving the evidence.

G. Officers shall maintain a copy of the *Request for Laboratory Examination* form with their case file.

H. When a *Request for Laboratory Examination* form is filed, officers will receive written results from the state lab regarding the laboratory examinations requested.

I. Officers need to be aware that if they receive the original copy of the lab results it must be filed with the proper court in a timely manner before trial.

37.4 EVIDENCE HANDLING OF POWDERED CONTROLLED SUBSTANCE

37.4.1 PURPOSE

The purpose of this general order is to provide direction when handling powdered controlled substances namely suspected heroin, opiates, opioids and fentanyl. This general order is designed to prevent injury to officers and persons handling controlled substances as evidence. Fentanyl, if exposed, can cause immediate respiratory distress and death. Fentanyl can be exposed through the mouth, eyes, nose, and the pores of your skin, which makes this narcotic very dangerous to handle.

37.4.2 PROCEDURE

A. Any employees of the Emporia Police Department will ***no longer*** field test any powdered controlled substance.

B. The officer taking possession of the suspected powdered controlled substance will immediately seal it in an approved evidence bag at the scene. The suspected powdered controlled substance ***will not*** be transported to the Police Department unsealed, nor placed in the Evidence Lockers unsealed, no exceptions. Upon placing the sealed evidence bag in the evidence locker, the officer shall place a Hazardous Material sticker on the evidence bag.

C. Any Police Officer that is on a scene with what appears to be powdered controlled substance in an open environment (not in baggies) shall treat that exposed powdered controlled substance as Hazardous Material.

D. <u>Officers Will Not Search a Vehicle Alone. Officers Will Ensure That a Back-Up Unit Is On-Scene Prior to Searching.</u>

E. If a Police Officer comes in contact with narcotic paraphernalia, the police officer should assume that the paraphernalia has been in contact with fentanyl and that the outer surfaces of the paraphernalia have came into contact with fentanyl. Protective gear will be utilized when handling this material.

F. Any Property/Evidence Custodian will not handle any suspected powdered controlled substance unless it is in a sealed evidence bag. The Property and Evidence Custodian will wear protective gear (eye protection, mask, and gloves)

G. Unless you have other evidence to support possession of a suspected powdered controlled substance (i.e., an admission, witnesses,) the officer

will send the suspected powdered controlled substance to the Department of Forensic Science for drug analysis.

H. If the analysis test positive for a controlled substance, warrants may be obtained at that time.

38.1 ADMINISTRATION AND OPERATIONS

38.1.1 PROPERTY CONTROL

A. It is the responsibility of all members of the EPD to handle and control all property directed to them in an efficient and safe manner, ensuring controlled and accurate storage and retrieval.

B. Officers will be responsible for properly inventorying, packaging and labeling all items collected or recovered as property or evidence. By following these guidelines property and evidence will not be tampered with, contaminated or destroyed. Officers should refer to the Emporia Police Department SOP for evidence handling as established by the Department of Forensic Science DCJS *Evidence Handling Guide.*

C. Officers shall submit all property and evidence to the Property/Evidence Pass through Lockers or to the Oversized Evidence Storage, prior to the end of their tour of duty.

D . All property and evidence will be accompanied by an *Incident Report and Property Voucher* to document the submitted property and evidence.

E. The Officer will notate all property and evidence taken into custody in their incident report which is added into the records management system.

F. Once the Property and Evidence Custodian takes possession of the property or evidence out of the pass through lockers they will then enter the property and evidence into the evidence module of the records management system and will notate the storage location of the property or evidence.

G. The recovering officer shall place the property or evidence in a property container and complete all information on the property/evidence form. If a container is not practical, a property/evidence form shall be completed and securely affixed to the item.

H . The recovering officer shall document all property taken into custody on the property/evidence module in the records management system, with the exception of towed vehicles, which will be documented on the tow-in form. For bicycles that are taken into custody, all property/evidence form submitted shall be accompanied by an incident report.

I. All property or evidence shall be stored in the Property/ Evidence Room. Oversized evidence, such as, vehicles, bicycles, oversized

property, hazardous materials will be stored in the Oversized Evidence Storage Building. Unless approved by the Chief of Police, vehicles will be stored in the lot of the towing company when seized by police. Hazardous materials will be stored in the Oversized Evidence Storage or at the discretion of the supervisor in consultation with the Emergency Services Coordinator. Bicycles and other oversized personal property, that is not evidence, will be stored in the Oversized Evidence Storage building.

J. Evidence which is collected and which requires special processing by the Department's forensic technician shall be forwarded to the Property/Evidence Room in the same manner as other evidence collected. Officers requiring such processing shall note their request on the supplemental incident report, noting *ID Processing Required* on the top of the report. A copy of the report shall also be forwarded to the property custodian.

K. Recovering officers shall, when possible, check all items taken into custody with NCIC/VCIN to determine if they are stolen.

L. It is the responsibility of the submitting officer to notify the property custodian when the disposition changes. Officers shall utilize a supplemental report to document these changes.

M. For property that may be released to the owner, the recovering officer shall attempt to notify the owner and arrange for the return of the property. Efforts made to notify the owner and the actual release of property will be documented with a supplemental report. Any property that bears a serial or identifying number will be queried in VCIN/NCIC prior to being released. If property is released it shall be signed for by the owner on the supplemental property release form.

N. The Support Division Commander will serve as the property/evidence custodian and will be responsible for the property and evidence management function. The Lieutenant in the Criminal Investigations Section will serve as their back-up when the Support Division Commander is on vacation or compensatory leave.

O. Property and Evidence Custodian Responsibilities.

1. The property/evidence custodian shall be accountable for control of all property and evidence stored by the Department. A daily review of newly-entered property or evidence shall be conducted by the property/evidence custodian to ensure that the property or evidence is properly documented and stored. All property and evidence received by the property/evidence

custodian will be recorded in the Property/Evidence Room records in numerical order by case number.

2. The property/evidence custodian shall maintain a clean, orderly and secure Property/Evidence Room and Oversized Evidence Storage area. The property/evidence custodian shall take the necessary action to ensure that property and evidence taken into custody is protected from damage, deterioration or theft.

3. The property/evidence custodian shall maintain a separate area with added protection for the storage of high value property or evidence.

4. The property/evidence custodian will provide for the storage of perishable items in the Property/Evidence Room.

5. The property/evidence custodian will be responsible for the maintenance of records of items taken into custody by the Department. Anytime that a piece of property or evidence is transferred in and out of the Property and Evidence Room, the Property and Evidence Custodian will document which officer and the reason that the piece of property or evidence was taken out of the Property/Evidence Room. These records will ensure that the chain of custody is preserved from time of discovery until destruction of property/evidence or turned over to the owner.

6. The property/evidence custodian is responsible to responding to the Police Department during non-business hours to place evidence into the Property/Evidence Room or the Oversized Evidence Storage. If he/she is not available the back-up Property/Evidence Custodian will respond to handle such request.

7. The property/evidence custodian shall on a quarterly basis review the property/evidence files for items that have no evidentiary value or are unclaimed. These cases will be forwarded to the originating officer for final disposition release.

8. The property/evidence custodian will ensure that temporary and final disposition of found, recovered and evidentiary property is accomplished within six months after all legal requirements have been satisfied. All exceptions to this will be called to the attention of the Chief of Police and as described in General Order 39.1.8

9. The property/evidence custodian will ensure compliance with the Code of Virginia 15.2-1719, as it pertains to the property and evidence function.

10. The property/evidence custodian will maintain a sufficient supply of materials for sealing, packaging, tagging and logging all property and evidence taken into custody.

P. Officers that store money, precious metals, jewelry, gemstones, weapons, narcotics and dangerous drugs shall have them placed in locked pass through temporary lockers outside the property/evidence room. The property/evidence custodian shall store the preceding items in a separate secured area in the property/evidence room.

Q. The recovering officer shall package any suspected controlled substance in a tamper-proof and sealed container. Controlled substances shall be counted for quantity when appropriate. If the substance is not in the form appropriate for counting, the officer should weigh the substance on the postage scale. Items such as water pipes or bongs should have all holes closed with tape. If officers are not sure of packaging requirements, the crime laboratory shall be contacted for advice from a drug chemist.

R. Only materials that are to be introduced as evidence at trial shall be forwarded for laboratory analysis. Materials not expected to be introduced as evidence at trial shall be stored in the Property/Evidence Room or Oversized Evidence Storage. Material shall not be destroyed prior to any criminal proceeding. Material shall be transported to the crime laboratory in accordance with General Order 38.3.2, *Submitting Evidence to the Laboratory.*

S. Material that is not evidence shall not be sent to the crime laboratory for analysis. The material shall be stored in a tamper-proof, sealed container and the officer shall write *Destroy* on the container. The officer shall document the reason the material may be destroyed in the incident report.

T. All officers shall inspect all tamper-proof sealed envelopes that contain controlled substances for signs of tampering every time that the envelope is handled.

38.1.2 PROPERTY SECURITY

A. All property taken into custody by the Department, except vehicles and hazardous materials as addressed in General Orders 39.1.1 (D), and bicycles and other oversized personal property addressed below, shall be stored in the Property/Evidence Room or

the Oversized Evidence Storage area.

B. Property /Evidence Pass through Lockers - All property shall be stored in the locked pass through temporary lockers outside the property/evidence room.

C. Property/Evidence Room - The property/evidence custodian and back-up property/evidence custodian will have sole access to the Evidence Room. Inspection or audit personnel may only enter the Property/Evidence Room in the company of a property/evidence custodian. The property/evidence custodian will record on the property/evidence card all movement of property between property received or relinquished.

D. Oversized Evidence Storage – The Oversized Evidence Storage is to be used when an officer has evidence that is oversized that can't be placed in the Property/Evidence Lockers and/or can't be placed in the Property/Evidence Room. Also, any evidence that is deemed a hazardous material will be placed in the Oversized Evidence Storage. Only the Property/Evidence Custodian and the Back-up Property/Evidence Custodian will only have access to the Oversized Evidence Storage.

E. Perishable Items- When perishable items are recovered by officers or detectives and the primary or back-up property/evidence custodian is not on-duty, the recovering officer will contact the primary or back-up property/evidence custodian for proper storage arrangements.

38.1.3 EVIDENCE LOCKERS

A. The pass through evidence lockers shall be utilized to store property or evidence taken into custody after-hours or when the property/ evidence custodian is not available. All property shall be stored in the locked pass through lockers. The property/evidence custodian will transfer property from the pass through lockers to the Property/Evidence Room on a daily basis and enter those pieces of property and evidence into the records management system.

B. If evidence can't fit into any of the pass through evidence lockers, the officer is to contact the Property/Evidence Custodian to have it stored in the Property/Evidence Room or the Oversized Evidence Storage. If the Property/Evidence Custodian is not available then the back-up Property/Evidence Custodian will be contacted.

C. If any property, that is not evidence, can't fit into any of the pass through evidence lockers, then the on-duty supervisor will contact the Property/Evidence Custodian to respond to secure the property or evidence into the Oversized Evidence Storage area.

38.1.4 PROPERTY ROOM ACCESS

A. Access to the Property/Evidence Room and Oversized Evidence Storage is restricted to the property/evidence custodian and their back-up. Entry by other personnel without escort is prohibited.

38.1.5 PROPERTY MANAGEMENT RECORDS

A. The property/evidence custodian will maintain a records system that consists of property/evidence forms. These forms indicate the character, type, and amount or property on hand, the date and time that property is received or released, the chain of custody of property through its final disposition, the dates and results of all inspections and inventories of property and audits of records, and the location of all property stored in the Property Room.

38.1.6 PROPERTY INSPECTIONS

A. Quarterly, the Major will make a routine inspection of the Property/Evidence Room and the Oversized Evidence Storage. This inspection will ensure that proper record keeping, accountability of evidence; property storage, cleanliness, and property disposal methods are followed. Problems found during these inspections will be documented and corrected.

B. When a new property/evidence custodian is appointed, an audit of the Property/Evidence Room and Oversized Evidence Storage will be conducted, jointly, between the newly appointed and outgoing property/evidence custodians. However, if the outgoing property/evidence custodian is not available, then the Chief of Police will designate a supervisor outside of the property/evidence function to assist the new property/evidence custodian with the audit. All weapons, monies, and narcotics will be accounted for on an individual basis. All other evidence and records will be randomly checked for accountability.

C. The Chief of Police shall designate a supervisor not directly connected to the property and evidence function to conduct an annual audit of all Property and Evidence. The audit shall consist of a random check of high risk items to ensure the integrity of the system.

D. The Chief of Police will conduct an annual unannounced inspection of Property/Evidence Room and Oversized Evidence Storage. A random comparison of records with physical property should be the focal point of the inspection. A variety of activities should receive attention during each successive inspection in an attempt to not examine the same activities repeatedly.

38.1.7 FINAL DISPOSITION OF PROPERTY

The property/evidence custodian will ensure the disposal of unclaimed property is in compliance with Virginia State Code 15.2-1719.

39.1 PROCESSING AND BOOKING

39.1.1 DESIGNATED ROOM

A. The Booking Room in the Emporia Police Department and the Southside Regional Jail are the only authorized locations where officers can process subjects who have been placed under arrest by Emporia Police Officers. During post convictions the judge will order the defendant to be processed and an Emporia Police Officer on duty will process the subject when they arrive at the Police Department.

B. The Intoxilyzer machine located in the Southside Regional Jail is maintained by the Virginia Department of State Police. Whenever an officer arrests a subject who is suspected of driving under the influence of alcohol and the subject elects to take a breath test, the officer will take the suspect to the Southside Regional Jail where the breath test will take place. The breath test is considered to be the start of the booking process for DUI offenses.

C. Officers will not leave a suspect alone whether they are at the Southside Regional Jail or the Emporia Police Department booking room, while they are in the custody of the Emporia Police Department.

39.2 DETAINEE PROCESSING AND CONTROL

39.2.1 PROCEDURES FOR INDIVIDUALS IN THE BOOKING ROOM

A. Officers will contact the Communications Center and advise them that they will be out of service processing a detainee at one of the authorized locations.

B. Officers will ensure that all detained subjects will be thoroughly searched prior to coming into the Police Department or Southside Regional Jail or any other commitment facility.

C. No individual will be left unattended, while in Department's Booking Room.

D. Individuals may not be restrained to any furniture or fixtures, while they are detained in the Department's Booking Room.

E. Officers of the Department will ensure that males, females and juveniles, will be separated and are not in the Booking Room, at the same time during processing.

F. The officer in charge of the processing will determine when the individual being processed will receive water and/or comfort breaks. However, if an individual needs to use the restroom the officer will escort the individual to the restroom to relieve themselves.

G. Officers will conduct the processing of the detained individual as quickly as possible.

39.3SECURITY CONCERNS

A. When an officer enters the sallyport with a prisoner they will ensure that the sallyport door has completely closed prior to removing the prisoner from the police vehicle.

B. Officers of the Emporia Police Department will secure their weapons in the trunks of their patrol vehicle prior to entering the jail or in the lock box located in the booking room prior to entering the room with a detainee.

C. In the case of an emergency, officers will contact the Communications Center that they need assistance by using their portable radios.

D. If the officers are unable to use their portable radios they will use the panic button on their portable radio to summons assistance.

E. The Communications Center will be notified of the officer's emergency and will send additional units to help the officer in distress.

F. Only authorized law enforcement personnel and civilian employees will have access to the Booking Room, while there is a detained individual.

G. Officers will ensure that detainees are restrained while in custody.

H. However, if an officer feels that it is appropriate to un-restrain an individual, they will ensure that the suspect is constantly under police supervision.

I. If an individual escapes from custody, the officer will immediately contact the Communications Center and advise them of the circumstances, and a BOLO will be sent to City and County law enforcement officers.

40.1 SOCIAL MEDIA

40.1.1 SOCIAL MEDIA PROCEDURES

A. PURPOSE

The department endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. This policy establishes this department's position on the utility and management of social media and provides guidance on its management, administration, and oversight. This policy is not meant to address one particular form of social media; rather social media in general, as advances in technology will occur and new tools will emerge.

B. POLICY

Social media provides a new and potentially valuable means of assisting the department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. The department also recognizes the role that these tools play in the personal lives of some department personnel. The personal use of social media can have bearing on departmental personnel in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by department personnel.

C. DEFINITIONS

Blog: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log."

Page: The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.

Post: Content an individual shares on a social media site or the act of publishing content on a site.

Profile: Information that a user provides about himself or herself on a social networking site.

Social Media: A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, MySpace),

microblogging sites (Twitter, Nixle), photo- and video-sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).

Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

Web 2.0: The second generation of the World Wide Web focused on shareable, user-generated content, rather than static web pages. Some use this term interchangeably with social media.

Wiki: Web page(s) that can be edited collaboratively.

D. ON-THE-JOB USE

1. Department-Sanctioned Presence

a. Determine strategy

(1) Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the agency's presence on the website.

(2) Where possible, the page(s) should link to the department's official website.

(3) Social media page(s) shall be designed for the target audience(s) such as youth or potential police recruits.

2. Procedures

a. All department social media sites or pages shall be approved by the chief executive or his or her designee and shall be administered by the departmental information services section or as otherwise determined.

b. Where possible, social media pages shall clearly indicate they are maintained by the department and shall have department contact information prominently displayed.

c. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.

(1) Content is subject to public records laws. Relevant records retention schedules apply to social media content.

(2) Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.

d. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the department.

(1) Pages shall clearly indicate that posted comments will be monitored and that the department reserves the right to remove obscenities, off-topic comments, and personal attacks.

(2) Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

E. Department-Sanctioned Use

1. Department personnel representing the department via social media outlets shall do the following:

a. Conduct themselves at all times as representatives of the department and, accordingly, shall adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.

b. Identify themselves as a member of the department.

c. Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to department training, activities, or work-related assignments without express written permission.

d. Not conduct political activities or private business.

2. The use of department computers by department personnel to access social media is prohibited without authorization.

3. Department personnel use of personally owned devices to manage the department's social media activities or in the course of official duties is prohibited without express written permission.

4. Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

F. Potential Uses

1. Social media is a valuable investigative tool when seeking evidence or information about

a. missing persons;

b. wanted persons;

c. gang participation;

d. crimes perpetrated online (i.e., cyberbullying, cyberstalking); and

e. photos or videos of a crime posted by a participant or observer.

G. Social media can be used for community outreach and engagement by:

1. providing crime prevention tips;

2. offering online-reporting opportunities;

3. sharing crime maps and data; and

4. soliciting tips about unsolved crimes (i.e., Crimestoppers, text-a-tip).

H. Social media can be used to make time-sensitive notifications related to:

1. road closures,

2. special events,

3. weather emergencies, and

4. missing or endangered persons.

I. Persons seeking employment and volunteer positions use the Internet to search for opportunities, and social media can be a valuable recruitment mechanism.

J. This department has an obligation to include Internet-based content when conducting background investigations of job candidates.

K. Searches should be conducted by a non-decision maker. Information pertaining to protected classes shall be filtered out prior to sharing any information found online with decision makers.

L. Persons authorized to search Internet-based content should be deemed as holding a sensitive position.

M. Search methods shall not involve techniques that are a violation of existing law.

N. Vetting techniques shall be applied uniformly to all candidates.

O. Every effort must be made to validate Internet-based information considered during the hiring process.

P. PERSONAL USE

1. Precautions and Prohibitions

a. Barring state law, department personnel shall abide by the following when using social media.

b. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the department.

c. As public employees, department personnel are cautioned that speech on- or off-duty, made pursuant to their official duties—that is, that owes its existence to the employee’s professional duties and responsibilities—is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the department. Department personnel should assume that their speech and related activity on social

media sites will reflect upon their office and this department.

d. Department personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the chief executive or his or her designee.

e. For safety and security reasons, department personnel are cautioned not to disclose their employment with this department nor shall they post information pertaining to any other member of the department without their permission.

f. Department personnel will not do the following:

(1) Display department logos, uniforms, or similar identifying items on personal web pages.

(2) Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer of this department. Officers who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.

g. When using social media, department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the department's code of conduct is required in the personal use of social media. In particular, department personnel are prohibited from the following:

(1) Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.

(2) Speech involving themselves or other department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.

(3) Engaging in prohibited speech noted herein, may

provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline up to and including termination of office.

(4) Department personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of this department without express authorization.

h. Department personnel should be aware that they may be subject to civil litigation for

(1) publishing or posting false information that harms the reputation of another person, group, or organization (defamation);

(2) publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;

(3) using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or

(4) publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.

i. Department personnel should be aware that privacy settings and social media sites are constantly in flux, and they should never assume that personal information posted on such sites is protected.

j. Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the department at any time without prior notice.

k. Reporting violations—Any employee becoming aware of or having knowledge of a posting or of any website or

web page in violation of the provision of this policy shall notify his or her supervisor immediately for follow-up action.

l. Employees who have been determined to have violated this general order will be subject to progressive discipline.

41.1 NASAL OR AUTO INJECTOR NALOXONE (NARCAN®)

I. POLICY

It is the policy of the Police Department that all officers are required to be trained in the use of the nasal or auto injector naloxone by the appropriate training authority. A patrol officer shall be dispatched to any call that relates to a potential opiate overdose. The goal of the responding officer shall be to provide immediate assistance via the use of nasal or auto injector naloxone, where appropriate, and to provide any treatment commensurate with their training as first responders, to assist other EMS personnel on scene, and to handle any criminal investigations that may arise. In order to reduce the number of fatalities which can result from opiate overdoses, the Police Department will train its officers in the proper pre-hospital administration of nasal or auto injector naloxone.

II. PURPOSE

The purpose of this general order is meant to provide guidance to officers in the use of pre-hospital administration of nasal or auto injector naloxone (Narcan®) to reduce the number of fatalities which occur as a result of opiate overdose emergencies, and to establish guidelines and regulations governing the utilization of the nasal or auto injector naloxone administered by the Emporia Police Department.

III. PROCEDURE

A. Definitions

1. Opiate: An opiate is a medication or drug that is derived from the opium poppy or that mimics the effect of an opiate (a synthetic opiate). Opiate drugs are narcotic sedative that depress activity of the central nervous system, reduce pain, and induce sleep. Commonly encountered opiates include: morphine, methadone, codeine, heroin, fentanyl, oxycodone (OxyContin®, Percocet®, and Percodan®) and hydrocodone (Vicodin®).

2. Naloxone: Naloxone is an opioid antagonist that can be used to counter the effects of opiate overdose. Specifically, it can displace opioids from the receptors in the brain that control the central nervous system and respiratory system. It is marketed under various trademarks including Narcan®.

3. Medical Control Physician: The Medical Control Physician

(MCP) shall be a designated Medical Doctor who is licensed to practice medicine in the jurisdiction of the Police Department. The Police Department shall maintain an affiliation with the MCP.

4. Nasal Naloxone Coordinator: The Nasal Naloxone Coordinator (NNC) shall be an individual designated by the Police Department to collect, review and track all reports of naloxone usage and who shall be responsible for any subsequent reporting necessary to any state or federal agency as required by law in connection with the use of naloxone by the Police Department.

B. Deployment of Nasal or Auto-Injector Naloxone Kits

1. When an officer of the Emporia Police Department arrives on the scene of a medical emergency prior to the arrival of EMS, and has made a good faith determination that the patient is suffering from an opiate overdose, the responding officer should administer four (4) milligrams of Naloxone to the patient by way of the nasal passage into one nostril or administer the naloxone auto injector kit in the middle outer thigh of the individual.

2. The following procedures shall be observed when an officer administers nasal or auto injector naloxone.

   a. Upon arrival on scene, officers must first perform a patient assessment as prescribed by Procedures and the National Safety Council's First Responder Guidelines, and shall consider statements from witnesses and/or family members regarding the patient's drug use.

   b. Officers shall use universal precautions, including body substance isolation.

   c. To be considered for naloxone administration, the victim should be unresponsive and have reduced respirations possibly attributable to an opioid overdose.

   d. Officers can ensure unresponsiveness and reduced respirations by calling out to the victim and performing a noxious stimulus (sternum rub).

   e. Officers shall update the communications officer that the patient is in a potential overdose state.

   f. Communications will then update Fire and Rescue.

g. Officers will start rescue breathing, with a bag valve mask if one is available, and administer supplementary oxygen if available.

h. Officers shall examine the victim for possible contraindications for intranasal administration of naloxone (e.g., facial trauma, nasal obstruction, bloody nose.)

i. Officers shall administer the naloxone per Emporia Police Department training. The Officers shall use the nasal mist adapter that is pre-attached to the Naloxone kit to administer a four (4) milligram dose of naloxone into one nostril, or utilize the Naloxone Auto Injector to administer a four (4) milligram of naloxone in the outer middle thigh of the individual.

j. Officers should be aware that a rapid reversal of an opiate overdose may cause projectile vomiting by the patient and/or violent behavior.

k. Officers shall return to rescue breathing until spontaneous respirations are restored.

l. If spontaneous respirations do not return after 3-5 minutes, officers should give a second dose of the nasal or auto injector naloxone per training procedures.

m. When respirations are restored, officers shall move the victim into the recovery position, on their side, to prevent aspiration in the event of vomiting.

n. Officers shall note the time of naloxone administration to report to Fire/Rescue/EMS personnel.

o. Officers shall continue to monitor the patient until the ambulance arrives and the victim is transferred to emergency medical personnel for further evaluation and treatment.

p. The treating officer shall inform EMS immediately upon arrival of the treatment rendered and condition of the patient. The treating officer shall not relinquish care of the patient until relieved by a person with a higher level of training.

q. The atomizer can be disposed of in regular household trash.

r. The auto injector should be discarded in a sharp container at the Police Department once the situation is handled.

C. Reporting:

Upon treating a patient with nasal or auto injector naloxone, the officer

shall submit a report detailing the nature of the incident, the care the patient received and the fact that the nasal or auto injector naloxone was deployed. The report shall be completed on a form substantially conforming to the sample attached hereto.

D. Equipment and maintenance:

1. It shall be the responsibility of officers to inspect the nasal or auto injector naloxone kits prior to the beginning of each shift to ensure that the kits are intact.

2. Officers will be responsible for storing the nasal and auto injector kits assigned to them in a controlled climate between the temperature of 55 to 78 degrees.

3. Damaged equipment shall be reported to the shift supervisor immediately who shall report the issue to the NNC.

4. The NNC will maintain a sufficient supply of nasal naloxone kits sufficient to meet the needs of the Emporia Police Department along with a written inventory documenting the quantities and expirations of naloxone replacement supplies, and a log documenting the issuance of replacement units.

E. Replacement:

Shift supervisors shall immediately replace nasal or auto injector naloxone kits that have been used during the course of a shift and shall make note of the replacement in the written inventory as maintained by the NNC.

F. Training:

Officers shall receive a standard training course administered by the Emporia Police Department, in conjunction with an appropriate training facility/provider prior to being allowed to carry and use nasal or auto injector naloxone. The Police Department shall provide subsequent training every two (2) years.

42.1 ANIMAL CONTROL

I. POLICY

The Emporia Animal Control Section is committed to strive toward the reduction and prevention of animal related problems in the community through the reasonable and responsible application of education, enforcement, and impoundment and rescue of animals.

II. PURPOSE

The purpose of this general order is to enable the Animal Control Section to have a systematic set of professional written directives that all members of the Police Department, including the Animal Control Section will abide by. This consistent application of policies and procedures will provide the community with a consistent response from patrol officers, as well as animal control officers.

42.1.1 ANIMAL CONTROL ADMINISTRATION

I. PROCEDURES

A. Responsibilities

1. Enforce animal related City ordinances, provide various field services and administer a general program to reduce the domestic animal nuisances and surplus pet population.

2. Provide sheltering for stray and unwanted animals and provide various shelter services such as redemption, adoption and receiving.

3. Provide community education and information programs to acquaint citizens with the operation of the Animal Control Section and to secure support for the section's goals and objectives.

4. Assist other governmental agencies and groups in the administration of animal related programs.

B. Other Governmental Agency Responsibilities in Relationship to Animal Control Activities

1. The Emporia Police Department shares animal-related law enforcement authority with the Animal Control Section. EPD

Officers will assist Animal Control Officers in emergency situations and vice-versa.

2. The Emporia City Attorney and the Commonwealth Attorney will provide advice of a legal nature to the Animal Control Section when necessary. The City Attorney and the Chief of Police will assist the Animal Control Section in formulating and revising the City Code of Ordinances pertaining to animal matters.

3. The City of Emporia Combined Court administers the judicial process relating to all charges brought forth by the Animal Control Section.

4. The Greensville County Health Department is the primary agency responsible for communicable diseases such as rabies. The Animal Control Section will work with, and at times under the direction of the Health Department, in matters pertaining to communicable diseases.

5. The Virginia Department of Game and Inland Fisheries is responsible for all matters associated with wild animals. However, Animal Control will take appropriate action for a wild animal that is sick, injured or rabid, or a public safety hazard.

C. Reports

1. Animal Control members are responsible for proper completion of all report formats, the use of proper forms and the proper filing of these reports.

2. All impound sheets are to be legible, accurate and contain all necessary information in accordance with state law.

3. Animal Control reports are to be submitted electronically utilizing the Records Management System. Animal Control reports are mandatory for:

   a. Animals Picked Up;

   b. Summonses Issued;

   c. Traps Being Set;

   d. Barking Dogs;

e. Bite or Injury Cases;

f. Any Incident Involving a Vicious Dog Complaint;

g. Felony Animal Cruelty Cases.

4. Witness Statements- Witnesses should be asked:

a. Their Name;

b. Address;

c. Phone Number to include day and night; as well as home or cell;

d. The above information is vital to completing a witness subpoena and completion of the incident report.

5. Report Detail- Reports should be detailed for the following reasons:

a. Discovery is facilitated;

b. Key Elements/Information Needs to Be Brought Out;

c. The Ability to Testify to Key Admissions or Other Evidence;

d. A Detailed Report allows the Commonwealth Attorney to assess the strength of the case and determine any plea bargaining decisions.

D. Equipment and Uniforms

1. Equipment: Animal Control Officers are responsible for the inventory, maintenance, repair and cleaning of all authorized equipment that is issued to them. ACO's reporting for duty should be equipped with, but not limited to, the following equipment:

a. Working Radio;

b. Dog Bite Stick/Baton;

c. Leash (nylon or cable);

d. Capture Stick;

e. Summons book; only as a back-up if e-citations is not working;

f. Camera;

g. Net Gun;

h. Glock handgun;

i. magazines;

j. .22 caliber rifle;

k. flashlight;

l. computer;

m. All equipment, except for the camera and computer will be carried by the Animal Control Officer. The capture stick provides the ACO with an added defensive tool in the event of an unexpected dog attack when approaching a residence.

2. Uniforms: The Animal Control uniform as mandated by the Police Department shall be the standard uniform for all Animal Control Officers. Exceptions to this policy may be authorized by the Support Division Commander, Major of the Chief of Police. Only authorized uniforms will be worn by employees.

3. The uniform will consist of khaki tactical pants that will not be bloused.

4. The shirts (long sleeve for cold weather and short sleeve for warmer weather) will be the Blauer Armorskin base shirt, along with their Armorskin ballistic outer carrier. Emporia Animal Control patches will be sewn on both sleeves just below the shoulder. The metal badge shall be worn on the Armorskin ballistic outer carrier, on a chain around the ACO's neck or on a badge clip on the ACO's belt.

5. Authorized jackets with Emporia Animal Control patches on both shoulders.

6. Names plates are mandatory and will be displayed on the Armorskin ballistic outer carrier.

7. ACO's will not carry their issued firearm as part of their uniform until they have qualified in accordance with General Order 5.1.

8. Rain gear will be provided by the Emporia Police Department.

9. Shoes/boots may be either black or tan and appropriate for the job duties of an animal control officer.

10. Socks will be black if observable.

11. Belts shall be black.

12. For training or special events, the Support Division Commander may approve a polo shirt with Emporia Animal Control embroidered on left pocket area of the shirt may be worn.

13. The uniform shall be kept in a neat, presentable condition at all times. It is the responsibility of the Animal Control Officers to inform the Support Division Commander if an item of their uniform needs replacement.

14. All items provided by the City shall remain the property of the City. Reasonable wear and tear shall be taken into account.

15. Any lost equipment or uniform part, damages or changes to the uniform must be reported to the Support Division Commander immediately. A diligent effort must be made to locate, repair or restore the item. If the item is not recovered, repaired or restored the employee may be asked to pay for its replacement.

E. Euthanasia

1. Use- The use of Sodium Pentobarbital is to be restricted for use for euthanasia, injured, sick, homeless and unwanted domestic pets and domestic or wild animals. Intra-cardiac injections of Sodium Pentobarbital are to be given only to an unconscious animal.

2. Product Restriction: Only State Board of Pharmacy approved products will be used (presently, FATAL-PLUS manufactured by Vortec Pharmaceuticals).

3. Storage: The bulk of the Sodium Pentobarbital will be stored in a securely locked box in a locked cabinet within the Animal Shelter. The Animal Control Officers will dispense the Sodium Pentobarbital one bottle at a time. The current bottle that is being used is to be kept inside a locked cabinet (unless in actual use) at the Emporia Animal Shelter. The Senior Animal Control Officer will audit the Euthanasia Logbook after each bottle is finished and date/initial the ending bottle entry.

4. Records and Reports: The Euthanasia Record book is a bound ledger solely for recording the use of Sodium Pentobarbital and Legend Drugs. This record is to be kept by the Senior Animal Control Officer.

5. Each animal will be scanned for microchip identification the second time prior to euthanasia. The Animal Control Officer will enter their ACO number in the appropriate area on the Animal Control Report along with date.

6. Each animal will be checked for a description match with its Animal Control report prior to euthanasia. The amount of Sodium Pentobarbital used to euthanize the animal and the date the animal is euthanized will be entered in the appropriate area on the animal control report. No less than one cc of Sodium Pentobarbital is to be used for record keeping purposes.

7. Animal Control Officers are to receive eight hours classroom instruction and demonstration prior to administering Sodium Pentobarbital. The instruction will be on the proper use of the drug including handling and administration, the potential hazards, and the proper techniques of the various ways of administering the drug.

8. Animal Control Officers must demonstrate to the satisfaction to the local sponsoring veterinarian, in the presence of the Support Division Commander that they are capable of properly administering Sodium Pentobarbital in a human fashion prior to administering the drug alone.

9. Animal Control Officers must have the ability to successfully complete a certified Euthanasia Training Course within one year of hire.

10. Do not recap needles after use, dispose of needles in a proper needle receptacle.

F. Cleaning the Shelter

1. The shelter shall be kept in a clean and sanitary manner in accordance with the Virginia Department of Agriculture and Consumer Services Rules and Regulations.

2. Dog Runs:

a. Morning Cleaning

(1) Put dogs outside;

(2) Pick up the food bowls and place them in dishwasher;

(3) Any remaining food needs to be disposed of;

(4) Water bowls are to be dumped, washed in dawn, rinses and then bleached before putting back;

(5) Kennels being used, remove fecal, urine and food on the floors, wall and/or fencing;

(6) Kennels are to be scrubbed with Dawn dish soap and water twice a week and on alternate days the kennels are sprayed with bleach and water;

(7) Dawn dish soap is to set for a minimum of ten (10) minutes, rinsed, then dried;

(8) After all of the kennels are dried, the dogs may be let back inside;

(9) The outside dog runs are to be cleaned in the same manner as the inside dog runs;

(10) If needed, for stains apply foaming cleaner and scrub with a brush and rinse with plain water.

b. DOG RUN LIGHTS ARE TO BE LEFT ON DURING THE DAY OF OPERATION.

c. Evening Cleaning: Check to see if inside of any runs are soiled. For any runs that are soiled, put the dog outside and wash out inside of the run. Dry inside of the run with a squeegee and put dogs back inside.

d. Lock all dogs inside for the night and then feed the dogs with appropriate food according to each animal needs. While dogs are eating, check the outside kennels for any runs that are soiled. If runs are soiled, clean the kennels. Once each dog has finished eating, remove food bowls (unless it is an animal that needs food all night), and place the bowls in the dishwasher and start the dishwasher.

e. DOG RUN LIGHTS ARE TO BE TURNED OFF AT THIS TIME.

3. Cat Cages:

a. Morning Cleaning:

(1) Remove bedding from cat cages and shake them to remove all spilled cat litter and/or food.

(2) Place bedding in the wash machine.

(3) Remove cats from the cages.

(4) Remove litter pan and scoop out any waste and soil litter replacing the litter scoop in the bucket of bleach water after every use (to avoid spreading any diseases).

(5) Remove, wash, dry and refill water and food dishes.

(6) Cages are to be cleaned of any litter, food, dust, etc., washed with dawn, dried and then bleached for a minimum of ten (10) minutes, rinsed then dried.

(7) Place new bedding in cage after drying and all other removed items and replace cat.

(8) Once all cages have been cleaned, the floor is to be swept of any loose cat litter and food.

(9) The floors then need to be sanitized.

b. CAT ROOM LIGHTS ARE TO BE LEFT ON DURING THE DAY OF OPERATION.

c. Evening Cleaning:

(1) Scoop the litter pans;

(2) Cat litter scoops are to be dipped into bleach/water each time to prevent disease transmission;

(3) Wash and refill water and food bowls as needed;

(4) Change any bedding that is soiled and start the wash machine;

(5) Floors are to be swept to remove any debris.

d. CAT ROOM LIGHTS ARE TO BE TURNED OFF AT THIS TIME.

4. Miscellaneous:

a. Other Animals:

(1) Cages of other animals shall be cleaned twice daily and all waste removed.

(2) Food and water bowls/bottles shall be washed and refilled every morning as needed.

b. Floors:

(1) All inside floors shall be washed and disinfected daily.

(2) Floors shall be kept clean and free of water hoses and other debris.

c. New Animals

(1) All new animals shall be provided clean/ sanitized cages to include litter boxes, if needed and food/water bowls.

d. Feeding and Watering

(1) All dogs, cats and other animals shall be fed at least once daily or more, as required by size, age, species or health.

(2) Each animal shall have access to fresh water at all times.

(3) During summer months, Animal Control Officers shall check to ensure that the animals have adequate water when staff is not on duty.

e. Animals Being Released

(1) When an Animal is released, it shall be the responsibility of the staff to clean and sanitize the cages/kennel of the animal released.

f. Handling of Animals

(1) Latex gloves shall be worn and hand sanitizer shall be applied each time an animal is handled. This will also assist in the means of reducing disease transmission.

G. Pet Adoption Policy

1. Adoptions

a. Any citizen that comes to the animal shelter may fill out a City of Emporia Animal Control adoption application.

b. All applications will be reviewed by the Senior Animal Control Officer.

c. The Senior Animal Control Officer will check the Virginia Court Case Information system to determine of the person(s) applying for an animal has ever been charged with Animal Cruelty.

d. The Senior Animal Control Officer may also contact the jurisdiction that the person(s) reside in and confirm that Animal Control has not had any problems or issues with the people attempting to adopt.

e. Any animal may be adopted with the exception of those that have been declared dangerous by the courts and/or have been involved in animal bite cases.

2. Adoption Contract

a. The Senior Animal Control Officer will make contact with the person(s) that have applied for adoption to schedule an appointment with them to pick up the animal(s).

b. Emporia Animal Control will require the new owner to sign an agreement that they will have their new pet spayed or neutered within 30 days of adoption.

3. Sterilization Agreement Form

a. New owner(s) shall sign and date the Sterilization Agreement form.

b. New owner(s) shall return the Sterilization Agreement form within seven (7) days of the sterilization date.

4. City of Emporia Animal Control Officers shall comply with Virginia State Code 3.2-6546- County or City Public Animal Shelters; confinement and disposition of animals; affiliation with foster care providers; penalties; injunctive relief.

H. Health and Safety

1. Purpose-The purpose of this policy is to establish guidelines and procedures to be followed when a member of the Animal Control Section is exposed to a communicable disease with a risk of major illness or death, and for handling evidence or property that may be contaminated.

2. Animal Control Officers and staff will immediately notify the Support Division Commander of any and all injuries and/or animal bites that occur at the animal shelter and/or out in the field.

3. It will be the responsibility of the Support Division Commander to fill out all paperwork involving such incident.

4. All animal bites/scratches that have caused an open wound, will be documented and reported to the Health Department by the Support Division Commander.

42.2.1 ANIMAL CONTROL OPERATIONS

I. PROCEDURES

A. Animal Control Approach:

1. At all times while working, ACOs are providing a public service, and are to carry out their duties in a courteous, professional manner, showing concern for the complainants, the suspects, and the animals that are involved, while maintaining an objective view of the situation being handled.

2. The ACO is to keep in mind that they are part of a Team, being the Emporia Police Department and are not working totally independent of the other members of the Police Department. Therefore, open effective communication must be maintained among animal control and the police department.

B. Methods:

1. ACOs must use good judgment and professional, objective discretion in evaluation the violations they observe, and those reported to them which they investigate. Each individual situation is different; however, basic methods should be consistent, unless extenuating circumstances warrant otherwise.

2. The ACO's job is to enforce the animal ordinances, and to educate the public concerning the ordinances, their importance to the community and animals, and not to punish, or assume the responsibility of the court system.

C. Operations

1. Dealing with the First Offense of a Non-Dangerous Nature:

a. *Non-Dangerous Nature* includes violation of ordinances other than Dangerous Dog, Dog Fighting, Cock Fighting, Intentional Animal Cruelty, or other ones that pose definite risk to the life/safety of animal / person, and dog bite case.

b. *First Offense*, for purposes of these enforcement guidelines, shall mean the first instance known by or reported to Animal Control Section concerning a particular individual/animal involved or allegedly involved in a violation of an ordinance.

c. The way the ACO handles the first offense may establish a basis for all future ACO contacts with that person.

d. The first offense situation provides the ACO opportunity to educate the person, to inform the person of our local ordinances, and the reason for them, in a friendly, helpful way.

e. Contact with *first offenders* should be documented, filed in the CAD system, even if a written warning is not issued to the offender, so that other officers will be aware that the *first offense* contact has been made when querying CAD.

2. Points to consider when making contact with owner In first offense situations:

a. Follow the ordinances – it is your job. The owner might know them, but he/she doesn't know them as you do. Explain the ordinances to the person, as you would like something explained to you, in a friendly, helpful manner.

b. You will leave a lasting impression of Animal Control with the person – that of assistance rather than to punish.

c. Many first offenders go on to be second, third, time offenders. But for now, the first offender is just that, so treat them accordingly. If future problems develop, deal with them accordingly.

3. Procedures for first offense violations of ordinances related to:

a. *At large*: If possible, determine the owner of the dog and address, and **return the dog home rather than impounding it**. Explain our ordinances relating to *at large* (and licensing and rabies vaccination requirements if necessary) and the reason the animal was picked up (for the animal's safety as well as for violation of the ordinance) in a friendly, courteous manner. Issue a citation or a written warning at the end of your conversation.

(1) If the address is known and there is no owner or responsible person to take custody of the animal, post notice of impoundment, stating where the animal was observed at large and/or impounded, the date, time and the ACOs identity. When contact is made later with the owner, City ordinances should be explained, not just the impoundment /redemption procedure.

(2) If impoundment is necessary, then upon release of the animal to the owner all fees related to the impoundment of the animal shall be paid to the City Treasurer's Office prior to the animal's release.

b. *Failure to License:*

(1) Explain the reason for the licensing and rabies vaccination requirement such as for identification, that a license could save a pet's life by providing owner information in event of injury, etc. Explain briefly other ordinances. ACOs may issue a citation or a written warning, allowing the owner to purchase a license at the present time or giving the owner up to 10 days to purchase the license and vaccinate the dog or cat

against rabies. Explain that the written warning will be followed up at that time, and failure to comply will result in a citation. Advise the owner that they may return the written warning within 10-day period along with a copy of the license receipt and the name of the Veterinary Clinic where the dog or cat was vaccinated against rabies for confirmation.

(2) After a written warning is issued, follow up after the 10-day period and issue a citation if no compliance.

c. *Failure to Confine Female in Season*: Upon observing the female in season, unconfined, attempt to contact the owner and explain the ordinances, benefits of spaying, etc. Explain how to properly confine the animal. Issue a citation or a written warning following your conversation. Check BACK within 2 – 5 days for continued violation.

d. *Barking*: Contact the owner, explain that a complaint was received, and that you believe the owner should be aware that someone was disturbed about barking dogs in the area. Discuss the barking complaint with the owner and possibly suggest some advice on how to control it or books on the subject, obedience classes, etc. ***Never give out the*** complainant's information in any complaint. Explain the barking dog ordinance and the procedure should the barking continue to disturb persons in the neighborhood and that future violations could result in the issuance of a citation. Leave a written warning after your conversation and explain that it is simply documentation of your visit showing your response to a complaint received.

4. Daily Patrol Logs: Daily patrol logs will be maintained in the CAD system for inspection and as an investigative resource.

5. Field Procedures and Topics:

a. *Abandoned/Neglected Animals*: Shall mean a domestic animal that has received no food,

water, or care from its owner, or the owner's authorized caretaker, for 24 hours or more.

b. *Animal Rescues*: Officers must use good judgment when acting to rescue an animal.

(1) In general, officers will not climb trees and/or crawl under houses to rescue standard animals.

(2) There are businesses that offer such service for a fee and the complainant or pet owner can be instructed to contact them.

(3) The rescue of animals on the interstate or in heavy traffic should not be attempted without assistance from police officers to control traffic.

(4) The progress of the animal can be monitored and rescue many be attempted as soon as it is in a safe position.

c. *Barking Dog Calls*: ACOs will leave a writing warning notice if owner is not home or issue a correction notice on the first complaint received regarding barking dogs.

(1) If contact is made with the complainant in the field, explain that if the barking continues a citation could be issued.

(2) When a barking dog complaint is received, the owner of the dog should be contacted in person or by leaving a warning notice.

(3) Discuss the problem with the pet owner and offer possible solutions. Issue a written warning, explaining that it is policy that we contacted the pet owner about the complaint, and is not a statement of guilt on the part of the owner.

(4) Explain to the owner that if the problem continues, the disturbed person(s) may file a citation against them.

(5) If, after a 24-hour period, the complainant wishes to pursue further action, he / she should be given a copy of the Barking Dog Ordinance and a copy of the case number.

d. *Bites –Recording the Complaint*: Complete an Animal Control Report.

(1) Instruct the complainant that any wound caused by an animal bite should be cleaned to its greatest depth with soap and water or an appropriate antiseptic, and the victim's physician or the Greensville County Health Department should be contacted to determine if a tetanus shot or other further treatment is needed.

e. *Bites – Investigation of Dog or Cat Bite – Victim Contact*: If the animal is at large, attempt to locate and apprehend as soon as possible.

(1) Contact the victim. Discuss circumstances of the bite with the victim.

(2) Determine if there are other witnesses to the incident.

(3) Make a determination if the bite was provoked or unprovoked.

(4) Get physician, hospital and / or treatment location information.

(5) Verify the identity and / or location of the biting animal.

f. *Pet Owner Contact*: Contact the owner of the animal, if known, and document all actions taken in the CAD system if the owner is not home and then make contact again within 24 hours.

g. Determine the conditions are such that the animal can be quarantined at home successfully (provided the dog is not going to be declared a dangerous dog due to this incident) or if the animal must be quarantined at the City's shelter for the 10 days

h. The animal is not to be taken from the owner's property or to be in contact with other animals or people for the 10-day quarantine period if the animal is being quarantined at the owner's residence.

i. *If the dog is to be declared dangerous due to this incident, the dog must be quarantined at the City's shelter for the duration of the 10-day quarantine period.*

j. An *Animal Control Report* should be filled out with the normal information along with noting that the animal bite, the date the bite occurred, the location of quarantine and whether or not the owners intend to claim the animal at the end of the quarantine period.

(1) If the animal is to be surrendered at the end of The quarantine period, the animal's owner is required to fill in and sign the surrender information area.

(2) The animal owner will be responsible for all costs incurred during the quarantine period.

(3) The Animal Control Section will provide the owner of the quarantined animal an invoice for the boarding. The owner of the quarantined animal must pay the invoice at the City Treasurer's Office.

(4) The ACO will advised the owner that the quarantined animals are not to be vaccinated, sold, removed from the City limits (owner's property if quarantined at home) or destroyed during the 10-day quarantined period.

(5) The ACO is to advise the animal owner to immediately contact AC if the animal becomes sick or dies during the quarantine period.

(6) If the animal is to be redeemed by the owner at the end of the quarantine period, the animal must be picked up by the date given to the owner by the investigating ACO also advising

that all fees are to be paid by the time of redemption.

(7) The investigating ACO is to contact the pet owner at the end of the home quarantine period to determine the health of the animal and to note that in a supplementary Animal Control report.

(8) If the owner of the animal is unknown, the animal is to be held at the City's shelter for the duration of the quarantine period.

(9) Animals that have bitten are not to be put up for adoption without the consent of the AC Supervisor. The AC Supervisor will be given copies of all pertaining reports and other information for review prior to such a decision. Complete and file all reports, Bite report, Quarantine Notices, Witness Statements, etc.

k. *Wild Animals*: If the animal is confined, immediately euthanize and contact the Health Department to determine if the animal is required to be tested for rabies. Wild animals are *not* held for the 10-day quarantine period by AC. If the animal is to be tested by the Health Department, the animal must be euthanized and transported to the Animal Hospital to remove the head. If it is after hours, the animal is to be placed into the refrigerator until the next open business day. (DO NOT FREEZE)

l. *Impounding Animals*: it is the Department policy that, if possible, animals be returned home rather than impounded. Upon impounding an animal, the Animal Control Report must be filled out as completely as possible noting the species of the animal, the breed or assessed combination of breeds, sex, collars, identification, etc.

m. *Microchip Scanning*: All dogs and cats impounded by the City of Emporia Animal Control shall be scanned upon impoundment.

6. *Citations*:

a. A citation may be issued at the officer(s) discretion if the officer observed a violation.

b. Information necessary to the completion of the citation, including suspect name, address, DOB, etc. must be entered on the citation.

c. If the citizen refuses any cooperation, gives no ID, your options include:

(1) Call EPD for back-up and obtain ID. Remember that the EPD Officer knows little information about the citation and must be informed upon his arrival.

d. An Animal Control Report must be generated for citations issued.

7. Complaints:

a. Complaints are called into the Emporia Police Department Communications Center. ACOs should respond as soon as possible to messages according to their priority and will handle like any other animal control call for service.

b. Complaints that request contact should be made either in person, telephone, or by posting on the door of the residence.

c. Complaint Priority:

(1) Unusual circumstances may warrant increasing the priority of a complaint.

(2) Use the priority list as a basic guide and use common sense/good judgment when making a decision to deviate from that list.

(a) Vicious animals posing an ***immediate threat*** to the safety of person(s) or animal(s) Injured animals;

(b) Bite Reports. If the biting animal is at large and/or a threat, this becomes a

priority 1 confined strays;

(c) Animals in danger from abuse;

(d) Neglect, or other conditions;

(e) Observed leash law violations;

(f) Routine leash law violations;

(g) Neglected or abandoned animals;

(h) Barking dog.

d. *Warning Notices*:

(1) Warning Notices should be issued in lieu of verbal warnings. The warning notice clarifies the nature of the violation to the suspect.

(2) ACO should complete as much information as possible on the notice.

(3) Warning notices should be entered on an Animal Control Report.

(4) All warning notices will be documented on a Virginia Uniform Traffic Summons.

e. *Dangerous Dog*: A dangerous dog affidavit must be filled out completely prior to going to the magistrate for a summons to be issued.

(1) Once summonses are obtained, the originals and copies must be given to the Communications Center.

(2) Summons can only be served by an EPD Officer.

(3) ACOs are to explain to the owner of the dog, prior to taking out the summons at the magistrate the procedures of a dangerous dog hearing and the requirements for keeping a dangerous dog within the City.

f. *Found Animals*: Found animals should be reported to the Animal Control Agency in the jurisdiction for which the animal was found.

(1) If the citizen requests to keep the animal for The holding period, the citizen shall give a complete description of the animal including collars, identification, etc.

(2) ACOs will complete an *Animal Control Report*

(3) ACOs will advise the citizen finding the animal they must surrender the animal to the legal owner or Animal Control Officers upon demand.

g. *Hot Pursuit*:

(1) An ACO is entitled to follow an animal onto private property while in hot pursuit in order to impound, issue a citation or written warning.

(2) The ACO ***MAY NOT enter into enclosed property or any structure without the owner's permission secured or a legal search warrant***.

h. *Inadequate/Inhumane Conditions*: Upon observing an animal that appears to be without adequate water, food, shelter, or an animal that appears to be suffering and in need of veterinary care:

(1) Attempt to contact the owner or custodian of the animal and explain the problem in a manner that suggests you are there to assist, not threaten. Your main objective is to have the problem corrected as soon as possible for the welfare of the animal.

(2) After discussing the situation with the owner/custodian, issue a warning or citation outlining the points discussed and record the time period agreed upon for correction of the situation.

(3) Keep your copy for follow up to verify the corrections.

(4) If the follow up inspection shows the corrections to the situation, note them in an AC Supplement Report. If improvement has not been made or if the situation has not been entirely being corrected, determine whether a second warning should be issued or a second citation. Enter the results of the inspection on an AC Supplement Report.

(5) If unable to locate the owner or custodian, take steps to temporarily correct the problem such as fill the empty water bowl or untangle the chain/rope. If the animal's life is not in immediate danger, attach a written correction notice to the door poster with date, time and explanation of the violations/observations. Direct the owner/custodian to contact you within 24 hours.

(6) If the owner/custodian contacts you within the 24-hour period, obtain their name, address, phone number, DOB. Explain the situation and violations, obtain a time period to correct the situation/ violations, and issue a warning or citation obtaining the owner/custodian's signature if possible.

(7) Continue with the same follow up procedure.

(8) If the animal's life appears to be in imminent danger, and you are unable to contact an owner/custodian or other person responsible for the animal, do what is necessary within the law to save the animal.

(9) Points to Consider When Observing What Appears to Be Inadequate/ Inhumane Conditions:

(a) No Water: The possibility that the animal is given water at other times during the day/night, sufficient to the

animal's needs. Because water is not available at the time(s) you are present, does not necessarily mean the animal is always without water, or that the animal does not receive sufficient water.

(b) **Shelter**: Animal is observed outside with no shelter or inadequate shelter. Is the animal housed indoors at times or is it always outside without shelter? Check for corroborating testimony from neighbors that the animal is most often without shelter during the inclement weather.

(c) **Vehicle**: No food or water observed in a vehicle holding an animal does not necessarily mean the animal has not been recently fed or watered. Use a thermometer to ascertain the temperature inside the vehicle and obtain the official temperature of the day for your report.

(d) **Thin**: Because an animal is thin does not necessarily mean it has not been fed an adequate diet. There is the possibility that the thinness is due to old age, parasites, or an illness currently treated by a veterinarian.

(e) When working an alleged inadequate/ inhumane conditions case, remember that what you observe may not be the entire picture or situation.

(f) Investigate.

i. Ask questions of neighbors, witnesses, and the owner.

ii. Make sure that the owner/custodian has had custody of the animal for the period in question or prior

to the animal reaching the present condition.

(g) Document.

i. Do what is possible to correct the situation prior to issuing a citation.

ii. If a citation is issued you may still have lost the battle. The animal's condition may have not been corrected and will not likely be corrected in the near future.

(10). Initially approaches the owner/custodian in a helpful manner rather than accusing or threatening. You want the cooperation from the owner/custodian to correct the problem for the animal. A person viewing you as concerned for the animal is more likely to be willing to listen and take advice.

(11) Before Removing an Animal from the Premises of the Owner or Private Property for Inadequate/ Inhuman Conditions: Investigate, then:

(a) Be certain that the situation is life threatening to the animal.

(b) Make all reasonable attempts to contact the owner/custodian.

(c) Determine if the removal of the animal requires a warrant.

(12) If the animal is in a hot car:

Contact EPD and have the Police Officer stand by or assist with the removal of the animal, securely post the vehicle with a detailed notice of impoundment showing the date, time, AC Case number and reason for

impoundment. Direct the owner/custodian of the animal to contact EPD immediately.

(13) **If the animal is unenclosed on private property**: Impound the animal, leaving a detailed notice of impoundment securely fastened to the front door of the residence. If there is no residence, attempt to secure the same to the doghouse, chain, tree or other area where the animal was seized and/or where the owner is believed to reside. Include the date, time, reason for impoundment and requesting owner/custodian contact within 24 hours.

(14) **<u>If the animal is enclosed on private property</u>**: Make contact with the Support Division Commander who will assign a detective to secure a search warrant and will receive legal advice from the Commonwealth Attorney.

8. *Injured Animals*:

a. Injured animal calls should be handled as a priority call.

b. When responding to injury calls, vehicles will be operated in accordance with all prevailing traffic regulations.

c. When responding to injured animals on roadways the ACO's first concern is personal safety then that of the animal. Vehicle warning lights and flashers should be used as necessary. Safety vest are to be worn when hazard exists.

d. If the owner is present, it is their responsibility to provide the veterinary treatment. Arrangements with the vet must be done by the owner.

e. If the owner is not present or unavailable, the ACO must decide if the animal requires immediate medical attention, euthanasia or if the animal can be taken to the shelter and made comfortable

there. Animals showing severe pain, uncontrolled bleeding, respiratory distress, shock, severe fractures or wounds should be taken to the veterinarian or euthanized. Minor fractures and wounds can often wait for medical attention.

f. If the owner of the animal is known, an immediate effort should be made to contact them.

g. If alone or the animal is uncooperative or vicious, approach it with caution and try to muzzle it unless the animal is unconscious, having trouble breathing, injured mouth or requires medication. If the animal can stand but refuses a muzzle, attempt to secure the animal against a fixed object so the animal cannot effectively move its head.

h. If you have assistance and the animal is cooperative, always approach with caution. restrain before administering first aid.

9. *Leash Law Violations*:

a. Leash law violations are observed through response to complaints and through general patrol.

b. When possible, loose dogs should be returned to their owners and owner should be warned or cited for the violation.

c. When it is not possible to return the dog home, the dog should be impounded and proper reporting completed.

d. When responding to leash law complaint, the ACO should patrol the area and deal with any stray dogs observed.

10. *Licensing*: See City of Emporia Municipal Code Chapter 10-51, Dog Licensing.

11. *Releasing Animals to Minors*:

a. Do not release an animal to a minor unless they are emancipated or are living alone without an adult.

b. Returning an animal home to the custody of a responsible minor is permissible.

12. *Monetary Transactions*:

a . All cash transaction will occur at the City Treasurer's Office.

b. ACOs will be present at the Treasurer's Office when a citizen is required to pay an animal control fee, except for dog licensing.

13. *Owner Surrenders*: Owner Surrenders are performed anytime during business hours with an appointment. Surrendering an animal must read and fill out a property release form and ACO's are too attached the form to the report. This time frame is due to the date of our disposal being removed

14. Vehicles:

a. ACOs are responsible for the routine maintenance and cleaning of all assigned vehicles. This includes, but not limited to, gas, oil, air in tires, water, etc. The outside and inside of the vehicles shall be washed and kept clean. The vehicle cages shall be washed and disinfected with bleach at the end of each shift when used to transport animals.

b. A thorough check of the vehicle including equipment, cages, catch poles, etc. shall be conducted by each ACO at the start of their shift.

c. Report a finding of damage or needed repair to the ACO Supervisor.

d. Report any accidents involving City vehicles to EPD immediately. Do not leave the scene of the accident until EPD has made contact and reviewed the situation and/or scene. Leave the vehicles in position of collision unless there is an urgent reason such as safety, to move them. The ACO Supervisor should be notified as soon as possible. A report must be made. If you are injured, go to the nearest emergency care facility. Indicate that you

are a city employee and fill out the appropriate forms.

e. Vehicles should be equipped with, but not limited to, the following equipment:

(1) Catch Poles;

(2) Blanket(s) and towels;

(3) Emergency gear (reflective triangles, etc.)

(4) Surgical gloves;

(5) Leather gloves;

(6) Leashes;

(7) At least one (1) small animal cage or carrier.

f. Vehicles must be operated with due care and all traffic regulations must be adhered to. ACOs are not authorized to drive emergency code response. This means that all traffic regulations, including speed limits, must be obeyed regardless of the nature of the call. Vehicles are to be checked out by the assigned ACO at the end of each shift. The vehicle should be properly equipped and maintained.

g. Transporting animals in animal control vehicles shall be monitored closely by the employee. Animals shall not be kept inside vehicles for more than 45 minutes. If animals need to be contained longer than 45 minutes, then the animal is to be detained outside and provided shade and water. Every effort is to be made to keep the animal(s) comfortable.

15. Animal Traps & Trapping

a. *Humane Trapping*:

(1) *Wildlife*: Emporia Animal Control does not live-trap wildlife nor loan traps for trapping wildlife because, it is NOT legal to trap wildlife live and move it to another location

(www.dgif.virginia.gov/wildlife /nuisance/). All wildlife concerns should be referred to Virginia Game and Inland Fisheries. If the Game and Inland requests assistance with trapping an injured wild animal, ACOs will provide as much assistance as they are able to under the circumstances.

(2) *Domestic Animals*: The City of Emporia does not have a leash law for felines. A citizen does have a right to detain cats for Emporia Animal Control impound for the following: cats that are believed to be strays (no license/rabies tags); sick or injured; and/or cats that are causing property damage from urine, feces, soiling, clawing, etc.

(3) Complaints are to be investigated by the ACO and if determined that a trap is appropriate, the caller's information is obtaining and added to the trap list. The ACO will give full instructions on setting the trap, monitoring the trap and contacting AC when a cat is caught in the trap.

(4) It is the responsibility of the complainant to monitor the traps closely and to protect the trapped animal from the elements, etc. The complainant is subject to the ordinances and laws pertaining to confined animals once the animal is trapped and should be informed of this by the ACO issuing the trap.

(5) Traps are to be entered in the CAD system and left with the complainant for no longer than one week. If the complainant still needs a trap, they may be put on the trap request list to wait for the next available trap.

16. Wildlife Calls

a. All Calls on Injured/Sick Wildlife will be answered

b. *Wildlife Nuisance Complaints*:

(1) General Calls for wildlife around citizen's homes shall not be answered. Citizen should be advised on deterrent methods, the number provided to Game and Inland Fisheries, and/or referred to wildlife removal companies.

(2) Deterrent methods recommended by the department of Game and Inland Fisheries

(3) Keep trash inside until the morning of trash pick-up or place trash in an animal proof container, such as a metal trashcan with latches on the lids.

(4) Do not leave pet food (cat or dog) outside overnight.

(5) Close up all openings under and into your buildings. These animals look for places to den.

(6) Encourage neighbors to do the same. If anyone in the neighborhood is feeding these animals; it can cause trouble for everyone.

(7) A few more active methods for discouraging this group. Include the following:

(a) Soak a rag in ammonia and place the rag in or on the trash can(s) or building(s) that are the problem areas. This smell will discourage future visits. Remember, you will need to repeat this after a rainstorm or two.

(b) Moth balls placed in trashcan or around buildings will achieve the same results.

(c) Reflective tape, lights, or noise sometimes works, but they will eventually grow accustomed to these methods, so this is only a temporary solution.

c. *Wildlife Exposure to Humans/Domestic Animals Procedures*:

(1) Any wildlife that is involved in a bite or other exposure (scratch, handling the animal, etc.) to a human or domestic animal shall be euthanized if capture, placed in the refrigerator (do not freeze) at the shelter, and the Greensville County Health Department shall be notified immediately.

(2) If the animal cannot be caught all information on the exposure will be noted in the report and the Greensville County Health Department shall be notified immediately.

(3) If the exposure is to a domestic animal, then the responding Officer shall verify rabies vaccination and quarantine the animal according to the City of Emporia Ordinance. The Greensville County Health Department shall be notified immediately of what actions were taken.

d. *Calls Concerning Dead Wildlife on Personal Property*:

(1) After confirming that there has been no type of exposure (human or domestic animal) the citizen may be advised to bag the animal and place it on the curb to be picked up by the City. They should also be advised to handle the animal with gloves, or a shovel while placing in the bag to prevent possible exposure.

(2) If the officer has responded to the location, then they may assist the citizen in disposing of the animal.

(3) Providing there has been no reported exposure it is **NOT** necessary to contact the Greensville County Health Department.

e. *Snakes:*

(1) Complaints of snakes inside of a residence

shall be answered. The snakes are to be removed to the outside of the residence and released.

(2) Complaints of snakes outside of residence may not be answered unless the snake is threatening the life of a citizen.

f. *Bats*: If a bat is found indoors with people, the Virginia Health Department of Health recommends capturing the bat and having it tested for rabies. While less than ½ of 1% of all bats actually carry rabies, this is a time for caution. Heavy leather work gloves should be worn if you must handle the bat in any way.

17. Cruelty Investigations

a. All animal cruelty shall be handled in the following manner:

b. Established if the complaint is valid.

c. If it is valid, and the animal is not in immediate danger, ensure the safety of the animal and conduct an investigation.

(1) If the investigation is complex in nature, make contact with the Support Division Commander who will assign the criminal investigation to a detective.

d. If the animal(s) is in imminent danger (life/health threatening) then the animals shall be seized (by legal means) and taken to a veterinarian. An animal control report shall be done and include all findings, witness information, veteranarian reports, and pictures. All findings, along with the report will be included in the case investigation folder.

e. The Commonwealth Attorney may be notified prior to the seizure for advice and shall be notified if the animals are seized.

f. ACO's must petition the courts for custody on all seized animals within 7 days of the seizure unless

the owner agrees to surrender ownership to the city.

g. Patrol Procedures:

(1) These procedures should be followed when ACO's are not working.

(2) Calls Requiring Immediate Response:

(a) *Animal Bites*- All animal bites are required to have a report; only exception would be if it occurred in another jurisdiction.

(b) *Dangerous/Vicious Animals*- Shall be handled as they come in.

(c) *Injured Animals/Animals in Distress/Sick Animals*- Shall be handled as they come in.

i. *Dogs and Cats Caught in Traps* – Shall be handled when they come in, patrol officers will only release the animal from the traps they will not pick up the animal.

ii. *Wild Animals in Contact with Humans/Domestic Animals (bites, scratches, etc*.) – Wild animals (raccoons, possums, ground hogs, foxes, skunks, bats, etc.) that may have had **ANY** contact where an exposure may have occurred (bite, scratch, fight with domestic animal, etc.) should be picked up, if possible, for rabies testing. If picked up, the carcass should be placed in the refrigerator at the shelter (not freezer). If it

is necessary to shoot the animal, then it should **NOT** be shot in the head (the brain is tested). The Greensville County Health Department on-call person shall be notified immediately.

iii. An Animal Control Report is required.

(d) *Wildlife Complaints* – Calls concerning wildlife shall be answered if the animal is reported to be sick or acting strangely. Snake calls where the snake is inside the house and the location of the snake is known shall be answered. (catchpoles and snake tongs are in the animal control trucks). General nuisance complaints concerning wildlife may be referred to animal control on the next business day.

i. **Bats in house shall be picked up and AC supervisor shall be notified**

(e) *Barking Dogs* – Shall be handled as they come in.

18. Calls That Can Be Held For Animal Control

a. Stray Animals in Custody – Should only be handled if the supervisor gives prior approval, if not it should be held until Animal Control comes in.

b. Nuisance Stray Cat Complaints – Obtain phone number for call back by ACO.

c. Nuisance Wildlife Complaints – Obtain phone number for call back by ACO.

********ALL CALLS RECEIVED OF A DOG ATTACKING A PERSON SHOULD BE DISPATCHED TO BOTH ANIMAL CONTROL AND POLICE OFFICERS*****

PROTOCOL A:

DETERMINING IF AN ILL/INJURED/OR COMPORMISED ANIMAL REQUIRES VETERINARY TREATMENT.

Licensed Veterinarian Name (Printed)

_____

Licensed Veterinarian Signature:

_____

Date: _____

The following will be available to all staff and volunteers at the Emporia Animal Shelter at all times. These items will be located in the Utility Room.

A. A contact list that includes all names and phone numbers of Animal Control Officers and Supervisors.
B. A binder with all protocols in it.
C. Breed Charts
D. The Merck Manuel for Pet Health
E. HSUS Pet First Aid book
F. Animal first aid supply kit containing vet wrap, gauze, bandage scissors, bandage tape, thermometer, lubricant, and stethoscope
G. Body condition scoring chart

SECTION 1: ANIMAL INTAKE EVALUATION

When an animal comes into the Shelter, they will have an Intake Evaluation done on them as soon as they enter the shelter. This will check for anything wrong with the animal and it will be documented on the form. This intake evaluation will need to be attached to their custody record, as well as a photograph of the animal being brought into the Animal Shelter. You will use the guideline below to check for the following:

General Attitude: Depressed, Happy, Scared, Fearful

General Condition: Geriatric, Young, Overweight, Underweight, Neonatal, Dehydrated

Eyes: Cloudy, Discharge, Clear, Puss, Swollen, Crusty, Ulcers, check to make sure eyes are not moving back and forth constantly. This could be a problem that needs to be addressed immediately.

Nose: Discharge, Clear, Crusty

Mouth: Inflamed Gums, Excessive Tartar, Foul Odor, Pale Gums, Tacky/Dry Gums

Skin: Hair Loss, Looks Okay, Parasites, Lesions, Dry Skin, Inflamed

Abdomen: Swollen, firm, appears normal, Lumpy, Signs of a Mass

SECTION 2: CONFINEMENT HOUSING

Each animal is to be housed separately, unless they come into the shelter with another animal and they are comfortable with that animal. An exception will be pertaining to neonatal animals with nursing mothers. These animals will be placed together. They will be housed for a minimum of five days. After the five days are up, animal may be housed with another animal that is compatible. Animal Safety, Well-being, adequate care, applicable laws and regulations need to be followed pertaining to this.

SECTION 3. ANIMAL MONITORING:

Each animal will be evaluated daily to ensure that the animal is doing okay. There will need to be an animal monitoring log on each kennel or cage that an animal is in. This evaluation will need to be filled out every day so that you are able to keep track of how well the animal is doing from day to day. If there is an abnormality with the animal, you will need to describe the abnormality on this monitoring log. You will refer back to Section 1 for descriptions. If there is an abnormality you will need to determine if the abnormality is **MILD, SIGNIFICANT**, or an **EMERGENCY** by referring to SECTIONS 4-6.

SECTION 4. FINDINGS OF *MILD* ILLNESS, INJURY, ABNORMALITY

If during the intake evaluation an animal is found with mild illness, injury, or abnormality, we will write our findings on our intake evaluation and initial it. We will then put the animal in an enclosure by itself.

Once this is done we will refer to our Merck Manuel Pet Health book and also our Pet First Aid book to verify what our findings are.

Appropriate changes will be made to feeding, bedding, and enclosure environment depending on the problem.

Appropriate care will be given to the animal according to what the problem is to alleviate pain and discomfort.

We will monitor the animal twice a day and for three days. If the problem is not resolved within three days, the animals condition will then be considered as a **significant** illness, injury, or abnormality.

SECTION 5. FINDINGS OF *SIGNIFICANT* ILLNESS, INJURY, ABNORMALITY, OR COMPROMISE

If during the intake evaluation or at any time after, an animal shows signs of significant illness/injury/abnormality/compromise, the following steps will be followed:

- A properly initialed and dated notation is made on the intake evaluation form or monitoring sheet.
- The animal will be removed to individual confinement if not already by themselves.
- Modifications will be made to feeding, bedding, and enclosure as appropriate.
- The Shelter Manager or Supervisor will be notified of this problem.
- The Animal Hospital will be contacted for advice on how to handle the situation. At this time if an appointment needs to made with the Vet, we will do so.
- As advised by the Veterinary Staff, First Aid measures will be taken as Plan appropriate to alleviate pain and stress for the animal in the meantime.
- The designated Shelter Manager or Supervisor will ensure that the Veterinarian is informed of the animal's condition, the plan of action, and the progress that the animal is or isn't making.

SECTION 6. FINDINGS OF ***EMERGENCY*** ILLNESS, INJURY, ABNORMALITY, OR COMPROMISE

If during the intake evaluation, or any time thereafter, an animal shows signs of emergency illness/injury/abnormality/compromise are observed, the following steps will be taken:

- A Veterinary Establishment will be contacted ***immediately*** for advice and the animal will be transported directly to the Vet for diagnosis and treatment. If the animal is released from the animal hospital, we will follow the Veterinarians instructions for the care of the animal at the animal shelter. As advised by the Veterinarian, we will follow the instructions of what the Veterinarian has told us to do for the animal. The animal will need to be kept in a kennel or cage by itself, preferably in a quiet place if possible. All information will need to be documented on the animal's custody record of what happened to the animal, date that they went to the vet, and a plan of action for that animal. If an animal needs medication, a medication chart will need to be filled out as well and placed on their cage. Medicating charts are also located in the utility room. This chart will need to be initialed and dated as the medications are given. In addition, the daily monitoring log will need to be filled out daily as usually so that we can see what kind of progress the animal is making. The Veterinarian will need to be updated by the shelter supervisor on how the animal is doing, regularly.

SECTION 7. ***POTENTIALLY INFECTIOUS/CONTAGIOUS DISEASE***

At any time, if an animal is showing signs of a contagious or infectious disease, the "Protocol for **Potentially Infectious/Contagious Disease**" will be followed in addition to this protocol as stated above.

PROTOCOL B: CONTROL OF CONTAGIOUS AND INFECTIOUS DISEASE

Licensed Veterinarian Name (Printed)

_____

Licensed Veterinarian Signature:

_____

Date: _____

1. GENERAL FACILITY RULES REGARDING DISEASE CONTROL

- We will sweep and mop the facility daily.
- Do not allow outside animals to come in contact with shelter animals unless it is for a meet-and-greet with a committed adopter. If an adopter wants to bring their pet in for a meet-and-greet. They will need to bring proof of a recent veterinary visit showing a healthy exam of the animal within the last year.
- Any food items that are intended for consumption by shelter animals must be in unopened packaging when they are received.
- All dry food must be kept in dry, closed containers
- Any unused, open canned food will be covered, dated, and stored in the refrigerator for no more than 7 days. After 7 days the food will be discarded.
- Always clean the Shelter in the following order starting with #1 and working through #6.

    1. Neonatal enclosures
    2. Neonatal Area
    3. General population enclosures
    4. General population area
    5. Isolation population enclosure
    6. Isolation population area

***Please remember that once you enter the isolation room, workers are not permitted to come back into the neonatal area for the remainder of the day.**

*** Another staff member will need to check on the neonates that afternoon that has not entered the isolation room that day. ***

2. GENERAL ANIMAL HOUSING CLEANING AND DISINFECTION PROCEDURES

- All of the materials that are in an animal's cage must be able to be disinfected through laundering or disinfectant (Rescue).

- Clean animal's enclosures twice a daily while the animal is outside of enclosure.

- To disinfect area and enclosures:
    - Remove organic material and any debris.
    - Wash soiled area with detergent and scrub.
    - Rinse area and apply disinfectant (Rescue).
    - Allow disinfectant to sit for 10 minutes before rinsing.
    - Allow enclosures to dry before allowing animal back into the enclosure.
    - Disinfect the hallways, outdoor concrete areas, and any other areas that animals have access to once daily and upon spoiling as described above.
    - Remove feed pans, water bowls, and toys from enclosure and wash separately with detergent daily and before use by another animal.

3. DESIGNATED ISOLATION ROOM

- When you enter into the sally port, the isolation room will be the first room on the right side on the back of the building. This room will have controlled access.

    - The room is labeled "Isolation Room".
    - Place waste and laundry receptacles immediately next to the door of this room on the inside of the room.
    - Store a dedicated supply of cleaning agents, materials, and equipment inside the room for the sole purpose of room disinfection/cleaning and caring for the animals in isolation.
    - Do not take any supplies out of the room for use or storage in another part of the facility.
    - Do not use this room to store any items that will be used outside of the isolation room.

4. ANIMAL INTAKE EXAM, INITIAL CONFINEMENT, MONITORING, AND PROVISION OF VETERINARY CARE

Animal intake exam, initial confinement, monitoring, and provision of veterinary care will be in accordance with "Protocol A: Determining Requirement of Veterinary Treatment". Examples of signs for the presence of a possibly infectious disease might include (but are not limited to): coughing, sneezing, lethargy, nasal or ocular discharge, open wounds, hair loss, excess itching, skin irritation/infection, diarrhea, or vomiting.

5. FINDINGS OF POTENIALLY COMMUNICABLE DISEASE

If at any time during initial exam or general monitoring an animal displays signs that are consistent with infectious disease the following protocol will be implemented:

- Transfer animals immediately to the isolation room and house them individually.
- Place a sign on the suspect animal's enclosure in isolation labeled with a description of the clinical signs or suspected illness so that other workers are able to take appropriate precautions
- All areas that the infectious animal came in contact with before entering isolation, including transport enclosure and transport vehicle, must be disinfected with disinfectant (Parvosol).
- The animal's clinical signs will be noted on the "Animal Monitoring Log" (Protocol A) and communicated to a veterinary establishment measures as quickly as possible to schedule an appointment for evaluation of disease.
- When scheduling the veterinary appointment, inform the veterinary establishment that the animal is potentially infectious in order to allow the clinic time to prepare preventative measures of disease control for the appointment.
- During the appointment, anticipate that the veterinarian will examine the animal, make a diagnosis, and prescribe an individualized treatment plan.
- Monitoring of animal's progress as outlined by the veterinarian will be noted on the "Animal Monitoring Log" (Protocol A) and kept in isolation.

6. ISOLATION ROOM RULES

- Wear disposable shoe coverings upon entering the room.
- Wear disposable gloves and a smock when conducting any activities in this room.
- Hang smocks on the hook inside the door upon exiting the room and launder daily or upon soiling.
- Remove all personal protective gear upon exiting the room.
- Remove shoe coverings and dispose of them when entering back into the general area.
- Wash hands thoroughly after removal of protective gear.
- Care for immunocompromised animals or neonates must be done before entering isolation or by another person who has not entered isolation that day.

7. ISOLATION ROOM CLEANING AND DISINFECTION PROCEDURE

- Clean/disinfect the isolation room after general areas have already been cleaned.
- Do not allow animals to be within enclosures during /disinfecting the enclosures. Do not allow animals to roam around the isolation room during the

process of cleaning/ disinfecting the enclosures; they must be confined in one of the other enclosures to ensure the containment of disease.

- Wear gloves, smocks, and shoe coverings during the cleaning process.
- Tie all laundry and waste receptacle bags when full. Launder isolation laundry separate from general laundry. Disinfect the outside of the laundry bag and then empty contents directly into the washer. Add bleach to the load along with detergent and wash on the water temperature setting. Dry load completely in dryer before use. Remove the tied waste receptacle bags by disinfecting the outside of the bag and place directly into dumpster.
- Disinfect area/enclosure; remove organic debris, toys, and dishes.
- Rinse area and apply detergent. Scrub any areas that did not come clean from the original rinse. Rinse detergent from the area/enclosure. Apply disinfectant (Parvosol) and allow to sit for 10 minutes, and then rinse a final time.
- Allow area to dry before allowing animals back into area/enclosure.
- Wash any toys that are not able to be laundered along with laundry protocol above. Disinfect that cannot be laundered using the dish protocol below.
- **To clean dishes**:
- Remove any residual food or organic debris into the isolation trash, and then submerge the dishes and hard toys into diluted bleach bucket.
- Use a ½ cup of bleach in a 1-gallon dilution.
- Soak items for 30 minutes before removing and transferring to dishwasher.
- Wash separately from other dishes using hot water and dish detergent.

PROTOCOL C:

MANAGEMENT OF NEONATAL AND MEDICALLY COMPROMISED ANIMALS

Licensed Veterinarian Name (Printed):

_____

Licensed Veterinarian Signature:

_____

Date: _____

NEONATAL ANIMALS

1. **Neonatal Animals with a Dam/Queen**
   Neonates taken into custody with their dam/queen or born while in custody should be kept **with the dam/queen** until a minimum of 7 weeks of age.
   - If the dam/queen becomes ill, inadequately lactates, or jeopardizes the safety of the neonates and/or animal care attendants, remove neonates for surrogate care or hand rearing prior to 7 weeks.
   - Keep the dam/queen and neonates segregated from other animals in a foster home for at least the first three weeks of life. If no foster home is available, house the dam/ queen and neonates in a room of the shelter that is away from the general population and isolation room.
   - Keep the dam/queen and neonate in a primary enclosure that meets the following criteria:
   - Able to be adequately cleaned and disinfected
   - Able to be heated as dictated by the species, age, and condition of the animals.
   - Contains bedding easily accessible to both the dam/queen and neonates as well as non-slip footing.
   - In a quiet room away from main traffic and other animals.
   - Ensures the safety of the neonates by eliminating spaces where small neonates may become trapped, separated, or drowned.
     - Use tall enough bowls so that the dam/queen can access, but neonates are not at risk for drowning.
     - The addition of pig rails to a whelping box or other solid walled enclosure is an example of one way to prevent trapping or separation.
   - Monitor dam/queen twice daily. Observe and note on intake if the dam/queen is eating and drinking, any vaginal discharge, adequate lactating, and appearance of mammary glands.

- Obtain veterinary care if the dam/queen has a vaginal discharge with an odor, is not eating/drinking, not lactating well, has inflamed mammary glands, or any other abnormality.
- Monitor neonates at minimum once daily for growth appropriate to their age and species. As a general rule, appropriate growth is a gain of 10% of birth weight each day.
- Monitor and provide special care as follows:
- To minimize exposure of neonates to disease, provide care of dams/queens with neonates before taking care of the general population.
- Provide dam/queen with free choice of dry/puppy/kitten food as well as a constant supply of clean fresh water. Provide dam with free choice feeding until weaning and then return to her normal diet.
- At 3 weeks of age, offer the neonates a gruel made of puppy/kitten food and water.
- Provide a heat lamp to area for first two weeks for neonates to utilize as needed. Neonates and dam/queen must be able to move away from heat when necessary. Once neonates are over 2 weeks old, gradually reduce heat over the following week until area is normal room temperature.

2. Neonatal Animals <u>without</u> a Dam/Queen

Due to the fragility and intensive needs of a neonate, if under 4 weeks of age schedule a veterinarian exam within 3 hours of intake. During this appointment an initial exam will be conducted as well as the development of a care and feeding protocol that is appropriate for the neonate and care provider. If adequate care is not available, place the neonate into the veterinary clinic's care until mature enough to return to the shelter or transferred into foster care.

Feedings

Neonates less than 4 weeks of age

Provide milk replacer upon intake. Prepare 5-10 ml of milk replacer, warm for a few seconds in the microwave, and place into clean bottle with a nipple. Check the temperature of the milk before feeding. Milk should be warm, not hot. If the neonate is not suckling well or has not eaten more than two milliliters of formula, seek veterinary care within one hour. Milk replacer needs to be provided every two hours until veterinary examination. **(Note: The nipple hole often needs to be widen or more holes added to allow better milk flow. Neonates should be fed while upright and not on their backs.**

❖ **Puppies/kittens 4-6 weeks old**

Feed puppies/kittens milk replacer as described above every six hours. In addition to the milk replacer, puppies/kittens will be introduced to solid food by offering gruel. You can add desired amount of water to the solid or canned

diet and blend. At this stage, gruels should have a very liquid content for easy consumption and slow introduction to the action of chewing food. Initially, the gruel should be the consistency of soup without any solid chunks. If the puppy/kitten is tolerating the gruel well, slowly and gradually decrease the water content over the following weeks.

- **Puppies6-7 weeks old and kittens 7-11 weeks old:**

  Feed puppies/kittens 3 times per day (every 8 hours) a canned diet of species-specific puppy/kitten food.

- **Puppies 7-8 weeks of age and kittens 11-12 weeks:**

  Puppies/kittens may continue eating canned food or may be slowly transitioned to dry. To transition to dry food, gradually begin mixing small amounts of dry food with canned. Over time, begin decreasing the amount of canned food and increasing the dry. Continue offering 3-4 smaller meals throughout the day. Leaving food down at all times does not guarantee the puppies/kittens will eat.

  Monitor puppies/kittens for adequate growth appropriate to their age and species a minimum of once daily. As a general rule, appropriate growth s a gain of 10% of birth weight each day. Their daily food intake will need to be adjusted based on their rate of growth.

- **ELIMINATION**

  If the neonate is less than two weeks of age, stimulation is needed for urination/defecation. Using a clean, warm, wet cotton ball or soft washcloth, gently massage under the neonate's tail. Stimulate the neonate after each meal.

  Monitor urination/defecation in neonates and young puppies/kittens. The presence of diarrhea is an indication for examination and treatment by a veterinarian.

MEDICALLY COMPROMISED ANIMALS

1. **DISABLING CONDTIONS OR NATURAL CONDITIONS OF COMPROMISE**
   A medically compromised animal is any animal who by definition is one which has an illness, injury, or is compromised by a normal life phase condition such as a congenital defect, disabling physical condition, or that alters a normal physiological function of the animal).

- Examples include, blindness, visual impairment, pregnancy, in-heat, amputee, physical deformity, geriatric, oral defect, of deafness.
- If the compromise is due to illness or injury, follow Protocols A and B in addition to this protocol.

"As a standard practice, the following conditions will require these accommodations at a minimum"

A. **BLIND**: housed individually (unless entering the shelter with a housemate to which the animal is already acclimated) in a quiet environment with floor-level bedding. The enclosure must have adequate space without being oversized so that the animal can easily identify in its safe perimeter, easily locate food, and water receptacles.
B. **PREGNANT**: housed individually in quiet enclosure without any wide gaps or confined spaces, which pose risk to newborn animals, away from view of other animals. Provide a cage or structure large enough for whelping without any large lips or steps to have to navigate over, and provided soft bedding material.
C. **IN-HEAT**: Never to be housed next to an intact male.
D. Physically Impaired: amputee, deformity, paralysis): housed individually (unless entering shelter with housemate to which animal is already acclimated with sturdy, nonslip footing and easily accessible bedding.
E. **ORAL DEFECT** (broken teeth or other problems with the mouth) Feed soft, canned diet, or as directed by a veterinarian.
F. **Geriatric:** Provided extra bedding to ensure an appropriate amount of padding/cushion on platform without a large step, and quiet enclosure.

2. ILLNESS AND/OR INJURY

Provide any animal with an illness or injury with an individualized management plan established in writing in accordance with the veterinarian's instructions. The veterinarian should specify in the plan dietary requirements, exercise and socialization restrictions, and proper cage/kennel set-ups as need. Have the veterinarian fill out a specialized plan on the following page. Place this page in plain view on or near the animal's enclosure.

3. MEDICATIONS AND /OR TREATMENTS

Administer medications and treatments in accordance with prescribed instructions at the prescribed frequency. Prescribed frequency will correlate to intervals based on a 24-hour "day" (two times per day= every 12 hours and three times a day =every 8 hours). After administering medications, the staff member should record the treatment on the animal's treatment log and include their initials or name next to the treatment. Prescription medications are to be used on the prescribed animal **ONLY** and not on any other animals. Do not store any

excess medications for future undescribed use and discard all medications appropriately. Store medication in cool dry location away from any risk of accidental animal access.

SPECIAL INSTRUCTIONS SHEET
Medically Compromised Animal

Animal ID: _____ Date: _____

- This condition is a permanent _____ or temporary _____ condition.

1. Special Enclosure/ Housing Area Instructions:
   _____
   _____
   _____
   _____
2. Special Bedding Instructions:
   _____
   _____
   _____
   _____
3. Special Feeding Instructions:
   _____
   _____
   _____
   _____
4. Special Exercise/Socialization Instructions:
   _____
   _____
   _____
   _____
5. Special Climate/Temperature Instructions:
   _____
   _____
   _____
   _____
6. Special Handling Instructions:
   _____
   _____
   _____
   _____
7. Other Instructions:
   _____
   _____
   _____
   _____
   _____

43.1 INFORMATION TECHNOLOGY

A. Policy - The Emporia Police Department endorses and supports all City policies and procedures regarding computer use and security. The Department further supports all applicable state and federal copyright laws and the license agreements of software manufacturers. In addition, the Department requires that wireless communications devices be operated and controlled in specific fashion.

B. Purpose - To establish policies and procedures regarding the purchase, use, maintenance, and inspection of Police Department and City computer hardware, software, network, e-mail, internet and wireless communication devices.

43.1.1 DEPARTMENT COMPUTERS

A. Personal Computer (PC) Use – Desktop, Laptop and Tablets

1. Risks to Computers and Software Programs

   a. All personnel should attend training sessions on the proper operation of the PC and related software.

   b. The Emporia Police Department will ensure that all department computers, software and all other programs are properly licensed in accordance with all applicable copyright laws and license agreements.

2. Maintenance, hardware enhancements, and software are the responsibility of the systems administrator. At no time, will personnel install or remove computer hardware or software.

3. Only the third party vendor or the police departments administrative staff may introduce, remove, alter or download computer files or programs into a department computer. If the administrative staff downloads a software program that is suspicious, it will be flagged by the third-party vendor's malware software and the police department is notified.

4. No software programs or disks of any type will be loaded into any Department Computer unless the owner of the software produces the license and obtains approval for the use of the software.

5. Under no circumstances will personnel give or sell a copy of department software to another person. A violation of this general order will result in disciplinary action.

6. At all times, Department computers will be available for maintenance and inspection purposes. Passwords and changes will be kept on file with the Department's systems administrator.

7. Computers shall not be moved, modified, or changed without the express consent of the Department's systems administrator.

B. Liabilities and Risks Involved with Department Computers hardware, software, criminal justice information systems, and wireless communication.

1. All Department personnel have access to the Records Management System (RMS). This is accomplished through the utilization of an assigned username and password from the Domain Controller Active Directory Server.

2. All Communications personnel and the Administrative staff have access to the Computer-Aided Dispatch (CAD). This is accomplished through the same assigned username and password from the Domain Controller Active Directory Server.

3. All Police Department employees must be aware that they do not enjoy any expectation of privacy as it relates to city-owned computers, smart-phones, e-mails, and internet sites visited. All network usage is monitored and audited.

4. All officers have access to OSMCT and Freedom. This is accomplished through the same assigned username and password from the Domain Controller Active Directory Server.

5. All Police Department employees have access to VCIN/NCIC data. This is accomplished by access from VSP with unique assigned username and password from VSP.

6. While using RMS, CAD, city-owned computers, smart-phones, e-mails, internet, OSMCT, Freedom, and

VCIN/NCIC all personnel will adhere to the following policies and procedures:

a. Access Security

(1) The integrity and security of the central records are dependent upon the access systems that provide control through a series of passwords and access codes. Employees are not permitted to use passwords, access a file, or retrieve any stored communication unless authorized to do so.

(2) The City of Emporia contracts with the third party vendor for IT services who has installed a Fortigate security firewall and an antivirus/malware/ ransomware software program on all workstations and network servers that filters all network traffic to prevent unauthorized external access into the Police Department's network; which includes all workstations and servers.

(3) Computing resources, data, and information must be protected from unauthorized use, external intrusion, theft, and accidental or malicious damage.

(4) To protect active sessions:

(a) Close down active sessions and use a password protected screensaver to secure your terminal or workstation if you intend to leave it unattended or inactive. The following example is the correct way to immediately lock and unlock your workstation by utilizing the Windows key (lower left key with Windows icon) + L or Ctrl-Alt-Del keys, and then press enter to lock your workstation. To unlock your workstation, move your mouse or press a key on the keyboard, press Ctrl-Alt-Delete, then enter your password in the password field of the dialog box.

(b) Logoff the network and shut down or lock your computer at the end of the working day.

(c) Use secure network file or Business OneDrive locations setup by system administrator to store Police Department data, unless there is a specific

need or limitation requiring data to be stored on your computer's local hard drive, external hard drives or flash drives.

(5) A documented inspection of the computer records and security system is conducted on all passwords and access codes for violations and improper use of the system on a quarterly basis. This documented inspection will be conducted by the Major or his designee.

(6) Guard your Password carefully. Adhere to the following guidelines:

(a) Do not reveal passwords to anyone. If required to disclose current password to an authorized IT technician for system maintenance or troubleshooting, change your password immediately after maintenance is completed. The following example is the correct way to change your password by utilizing Ctrl-Alt-Del keys, and then select change a password with your mouse.

(b) Do not write down and post or store passwords near a workstation, under a keyboard or mouse pad, or other areas where they can be found and used.

(c) For new accounts, change passwords upon first login or upon password reset for the account.

(d) Change passwords immediately if it is suspected that they have been compromised.

(e) All personnel will be responsible for constructing their own passwords. It is advisable to utilize at least eight characters, to include at least one upper case, one lower case, one alpha and one numeric.

(f) Change passwords every ninety (90) days. If greater security is required, change passwords more frequently.

(g) After five (5) unsuccessful network login attempts (invalid ID and/or password), the system will lock the user ID account and the employee will need to contact the Administrative Services Manager.

(h) Under NO CIRCUMSTANCES will any member of this Department give their password to anyone else or allow anyone else to log on to the system using their personal information.

(i) In the case of a forgotten, lost or compromised password, the systems administrator must be notified. The systems administrator will then issue a new or reset the password that the user must immediately change to a user-defined password at their next-login.

(j) Police Department members will not attempt to gain access to Records Management options that they are not authorized to perform.

(k) All personnel shall comply with all state and federal laws regarding proper disposition of data retrieved from the records management system and NCIC/VCIN terminals. This specifically applies to information gained from the VCIN/NCIC link, as governed by VA Code 19.2-389.

(l) At no time will members of this department make any changes to Record Management System terminal configuration information, physically move a terminal, or connect a new terminal without prior approval from the systems administrator.

(m) Upon resignation, retirement or termination the Employees' user name and password will be de-activated from the Department's network server.

43.1.2 NETWORK

A. Back-up Computer Information

1. The Emporia Police Department maintains a network that serves the use of department computers used by members of the Department. This enables employees to utilize department computers to communicate through the CAD/RMS system, e-mail, access the World Wide Web through the internet and utilize additional department programs and additional files for data storage and retrieval.

   a. The Emporia Police Department contracts with several third party vendors who provides IT support and back-up computer information. The third party vendors provide the following IT services as provided for back-up computer information:

      (1) The third party vendors provide a full licensed copy of Storage Craft Shadow Protect SPX 6.8.4 to accomplish backups. Backups are used for file, image and disaster recovery.

      (2) A copy of the image backup is stored locally on the dedicated external hard drive and an off-site copy is stored at the third party vendors' data center. The files are securely replicated off-site using a SSL connection and username/password authentication protocols.

      (3) The third party vendor ensures the security of the police departments back-up files and media; whereby, the backup images are password protected and encrypted. Transfers of images is accomplished via TLS and SSL.

      (4) The third party vendor will ensure that any destruction of back-up files and media is disposed of in a manner that cannot be reconstructed by unauthorized individuals and in compliance with NIST 800-88 standards.

      (5) The department's record management system is stored on a secured network protected by a firewall to protect the integrity of the system from outside intruders. The Emporia Police

Department's Records Management System network backs up records data on a daily basis.

43.1.3 ELECTRONIC MAIL

A. Electronic Mail (e-mail) – All Department employees will have access to a department e-mail account.

1. Approved Activities:

a. A stand-alone computer has been placed in the Communications Center so that communications officers may send and receive emails.

b. All police and administrative employees have been assigned a computer in which they have access to send and receive emails.

c. Department e-mail is on Microsoft Office 365 and is not private and will typically constitute a public record under the Virginia Freedom of Information Act.

d. E-mail messages should be for the purpose of conducting city business or communicating with outside resources.

e. E-mail communications will conform to the same professional standards as with written and verbal business correspondence. A professional tone should prevail and content will be consistent with and representative of the City's policies and practices.

f. All department employees have a city email account through Microsoft 365 and should have their email accounts opened and minimized on their MDT's while on duty or working selective enforcement.

g. If an employee of the police department needs to send an email of a confidential or sensitive nature, then the employee shall ensure that

they are sending an encrypted email through Office 365.

h. All department employees will check their emails at a minimum at the beginning and end of their tour of duty.

2. Prohibited Activities

a. Inappropriate e-mail messages may cause an employee to be subject to discipline.

b. E-mail messages that are received should be deleted after having served its purpose. E-mail messages that are needed for further use should be moved to a specific folder within Microsoft 365 or printed off and filed appropriately.

c. E-mail messages that contain programs that will execute in memory (example filename.exe) will not be opened and executed on Department computers without prior written permission from the systems administrator. Such files may carry viruses capable of causing damage to computer hardware and software.

d. Any attempt to misrepresent one's identity via e-mail is prohibited.

e. Use of non-city e-mail accounts may be utilized for city business. Likewise, a non-city email account may not be utilized or forwarded to a city email account.

f. If the employee is not able to send an encrypted email, then the employee shall not send a confidential or sensitive email.

g. Department emails will not be utilized for any religious activity, political or campaign use, commercial use, conducting illegal activities, any entertainment uses or any other uses that would bring discredit to the Emporia Police Department.

43.1.4 INTERNET

A. World Wide Web (Internet)

1. Approved Activities

a. A stand-alone computer has been placed in the Communications Center so that communications officers may access the World-wide web (internet).

b. All police and administrative employees have been assigned a computer in which they have access to the world-wide web (internet).

c. The use of the Department network server to access the Internet must support the organizational objectives of this Department.

d. Department members who access the Internet must abide by copyright, contract, and other local, state, and federal laws, as well as City policies.

e. Computers configured to query NCIC/VCIN must be in compliance with all regulations set in place by the Virginia State Police and Federal Bureau of Investigations.

2. Prohibited Activities

a. Department personnel shall not use City computers to "browse" any sites Containing pornographic material, unless such use is in direct connection with an authorized criminal investigation. Written authorization must be obtained from the Administrative Services Manager who will advise the Chief of Police before such investigation can commence.

b. At no time, will programs that will execute in memory be downloaded from the internet or any other online source, without prior written permission from the systems administrator.

c. No employee of the Police Department should expect that they have an expectation of privacy as to his/her internet usage.

d. Any attempt to misrepresent one's identity on the internet is prohibited, except when performed by an officer under an authorized police investigation with the approval of the Chief of Police.

e. Employees of the Emporia Police Department shall not utilize the internet for any of the following: religious activity, political or campaign use, commercial use, conducting illegal activities, any entertainment uses or any other uses that would bring discredit to the Emporia Police Department.

43.1.5 WIRELESS COMMUNICATION

A. Wireless Communications

1. Wireless Communications refer to all devices that transmit voice, data, or signals via radio signal. These devices include all radio transmitters and all types of telephones.

2. Radios - Police radio transmitters shall be used in the manner prescribed by the communications guidelines as published and directed by the Communications Center.

3. Departmental Cellular Telephones - These devices are issued to carry out the mission of the Department and are not "personal telephones." Officers should use discretion while operating cell phones while a Department vehicle is in motion. In addition, each officer's department issued cell phone will have the Superion "Freedom" app. The "Freedom' app will be utilized by officers when they are out of the police vehicle or are not using their mobile data terminals.

a. Employees should be prepared to explain high usage of data or minutes used. Any use greater than 4GB/monthly or 500 minutes shall be investigated by the internal affairs function.

b. Employees who are issued city-owned smart phones should not expect an expectation of privacy. Their phone is open to inspection by superiors upon request.

4. Personal Cellular Telephones - Officers who have personal cellular phones may utilize their phones while on duty. However, officers should keep personal calls to an absolute minimum, and should use discretion while operating cell phones while in a Department vehicle. Employees need to be mindful that if they utilize their personal cell phones for any form of City business that their cell phones will be subjected to FOIA regulations.

43.2 CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS)

43.2.1 CJIS GENERAL

A. The E-911 Communications Center participates and/or has access to the following local, state and federal criminal justice information systems (CJIS) via remote teletype terminals and computer workstations

1. National Crime Information Center (NCIC);

2. Virginia Crime Information Network (VCIN);

3. Virginia Department of Motor Vehicles and other states driver databases; and

4. Police Department Computer-Aided Dispatch and Records Management System.

B. Expectation of Privacy

1. No Emporia Police Department employee has any expectation of privacy relating to sending or receiving any information through the Criminal Justice Information System.

C. Approved Activities

1. Through CJIS systems, information can be obtained or exchanged regarding wanted and missing persons, stolen vehicles, guns, articles, criminal histories, vehicle registration or driver's licenses. In addition, NCIC/VCIN allows the

Department to maintain liaison with other organizations in order to obtain or exchange information related to terrorism.

2. Communications personnel will follow and obey all policies, procedures, guidelines, laws, rules and regulations set forth by this agency and any CJIS system.

3. Communications Officers should refer to CJIS manuals which are located on-line. NCIC/VCIN or any other CJIS system will be utilized by criminal justice agencies for official purposes and only authorized personnel will use the computer workstations or teletype terminals to complete entries, inquiries, or exchange/obtain information.

4. CJIS system information may only be released to authorized department personnel conducting investigations in their official capacity as an Emporia Police Department employee.

D. Prohibited Activities

1. Arbitrary queries into the system for personal use or gain is strictly forbidden.

2. Anyone discovered utilizing the teletype in such a manner will be held liable and is subject to disciplinary action leading up to termination or charged with a criminal offense.

3. Any inappropriate use of the CJIS system by an Emporia Police Department employee may result in:

a. civil liability to the agency as well as the employee;

b. criminal charges on the employee improperly utilizing the system.

c. once the Emporia Police Department becomes aware of the improper utilization of the CJIS system, a member of the command staff will immediately notify the Virginia State Police of the unauthorized use of the system.

(1) The Virginia State Police may at their discretion suspend or terminate the agency's access to CJIS if the system is not utilized according to VSP rules and regulations.

4. No Emporia Police Department employee may alter, re-configure, delete or change any computer hardware or software. Only the third party IT vendor, in coordination with the Major and the Administrative Services Manager will have the authority to make any changes to the computer system.

    a The only CJIS system that the department's third party vendor, Major or the Administrative Services Manager can alter is the CAD/RMS system.

5. Communications Officers or Supervisors will enter their name and password prior to starting computer operation and sign off whenever being relieved from their position.

6. Communications Officers or Supervisors should never give out their password to anyone.

E. Training

1. All Communications Personnel and the Administrative Services Manager will be trained and certified as Full-Access Operators through VCIN.

2. All Communications Personnel and the Administrative Services Manager will need to be re-certified as Full-Access Operators prior to the date of their expiration every two years.

3. Communications trainees may utilize the CJIS system under the direction of a certified teletype operator but must be certified and released for solo communications within six (6) months of employment.

4. All Sworn Employees will be trained and certified as Limited-Access Operators through VCIN.

5. All Sworn Employees will be re-certified as limited-access operators through VCIN prior to the date of their expiration every two years.

F. Management Review of Activities

1. It is the responsibility of the administrative staff of the Emporia Police Department to ensure that employees are following the proper procedures relating to the use of

computers, smart-phones, e-mails, internet and any criminal justice information system.

2. If an employee experiences problems or their computer crashes, the administrative staff will retrieve the employee's computer and will be sent to the Department's third party vendor to diagnose what the problem is with the computer.

3. If it is determined that inappropriate sites have been visited or the employee altered their issued equipment, the employee will be subjected to disciplinary action.

4. The administrative staff will ensure the Police Department's active directory information is maintained and current.

43.2.2 CONFIDENTIALITY OF INFORMATION AND DISCIPLINE

A. Purpose:

1. As an incident to employment of the Emporia Police Department, all employees have access to information and material of a confidential nature. Such as information or material may include, but is not limited to, the personal identifying information of victims, witnesses, law enforcement officers, and suspects, the substance of police reports, the existence of covert law enforcement investigations, the identity of persons providing information to law enforcement, and the identity of individuals targeted in specific criminal investigations.

2. The disclosure of confidential information to unauthorized persons may have dire consequences to include the disruption of a trial or police investigation, or a threat to the physical safety of victims, witnesses, or law enforcement personnel.

3. Information and classified material shall not be disseminated to or discussed with the public without the express, prior authorization of the Chief of Police or the Major. This policy applies to all Emporia Police Department employees, whether they are sworn or non-sworn personnel. Any information which is accessible to the public on a court website, such as court dates and attorneys, is public information and may be shared with the public. Information given to the media or press should come directly from the Chief of Police or his/her designee.

B. Virginia Crime Information Center and National Crime Information Center (VCIN/NCIC):

1. The use of information received via the VCIN/NCIC terminal is strictly limited by law and is monitored and controlled by the Virginia State Police. Employees may not use the VCIN/NCIC terminal unless that have been trained and authorized to do so by the State Police. Records obtained via the VCIN/NCIC terminal are to be considered “Internal Use Only” and copies of these records shall not be released or disseminated outside of the Emporia Police Department without the express, prior authority of the Chief of Police or order of the Court. Use of the VCIN/NCIC terminal is strictly for work purposes, and under no circumstances shall the terminal be used for personal reasons. Any willful, unauthorized use of the VCIN/NCIC terminal or unauthorized dissemination of records obtained thereby constitutes malfeasance in office and is grounds for immediate termination. Furthermore, unauthorized access or dissemination may result in civil liability and/or criminal prosecution.

43.2.3 MEDIA PROTECTION

A. Purpose:

1. The intent of the Media Protection Policy is to ensure the protection of the Criminal Justice Information System (CJIS) until such time as the information is either released to the public via authorized dissemination (e.g. within a court system or when presented in crime reports data), or is purged or destroyed in accordance with the record retention schedule.

2. This Media Protection Policy was developed using the FBI’s Criminal Justice Information Services (CJIS) Security Policy 5.7 dated 08/16/2018. The Emporia Police Department may complement this policy with a local policy; however, the CJIS Security Policy shall always be the minimum standard. The local policy may augment, or increase the standards, but shall not detract from the CJIS Security Policy standards.

B. Scope:

1. The scope of this policy applies to any electronic or physical media containing FBI Criminal Justice Information (CJI)

while being stored, accessed or physically moved from a secure location from the Emporia Police Department. This policy applies to any authorized person who accesses, stores, and/or transports electronic or physical media. Transporting CJI outside the agency assigned physically secure area must be monitored and controlled.

2. Authorized Emporia Police Department personnel shall protect and control electronic and physical CJI while at rest and in transit. The Emporia Police Department will take appropriate safeguards for protecting CJI to limit potential mishandling or loss while being stored, access, or transported. Any inadvertent or inappropriate CJI disclosure and/or use will be reported to the Emporia Police Department Local Agency Security Officer (LASO). Procedures shall be defined for securely handling, transporting, and storing media.

C. Media Storage and Access:

1. Controls shall be in place to protect electronic and physical media containing CJI while at rest, stored, or actively being accessed. “Electronic media” includes memory devices in laptops and computers (hard drives) or any removable, transportable digital memory media, such as magnetic tape or disk, backup medium, optical disk, flash drives, external hard drives, or digital memory card. “Physical media” includes printed documents and imagery that contain CJI.

2. To protect CJI, the Emporia Police Department personnel shall:

a. Securely store electronic and physical media within a physically secure or controlled area. A secured area includes a locked drawer, cabinet, or room.

b. Restrict access to electronic and physical media to authorized individuals.

c. Ensure that only authorized users remove printed form or digital media from the CJI.

d. Physically protect CJI until media end of life. End of life CJI is destroyed or sanitized using approved equipment, techniques, and procedures. (See Sanitization Destruction Policy).

e. Not use personally owned information system to access, process, store, or transmit CJI unless the Emporia Police Department has established and documented the specific terms and conditions for personally owned information system usage. (See Personally Owned Device Policy).

f. Not utilize publicly accessible computers to access, process, store, or transmit CJI. Publicly accessible computers include but are not limited to: hotel business center computers, convention center computers, public library computers, public kiosk computers, etc.

g. Store all hardcopy CJI printouts maintained by the Emporia Police Department in a secure area accessible to only those employees whose job function require them to handle such documents.

h. Safeguard all CJI by the Emporia Police Department against possible misuse by complying with the Physical Protection Policy, Personally Owned Device Policy, and Disciplinary Policy.

i. Take appropriate action when in possession of CJI while not in a secure area:

(1) CJI must not leave the employee's immediate control. CJI printouts cannot be left unsupervised while physical controls are not in place.

(2) Precautions must be taken to obscure CJI from public view such as by means of an opaque file folder or envelope for hard copy printouts. For electronic devices like laptops, use session timeout or lock the screen when not in use and /or privacy screens. CJI shall not be left in plain public view. When CJI is electronically transmitted outside the boundary of the physically secure location, the data shall be immediately protected using encryption.

(a) When CJI is rest (i.e. stored electronically) outside the boundary of the physically secure location, the data

shall be protected using encryption. Storage devices include external hard drives from computers, printers, and copiers used with CJI. In addition, storage devices include thumb drives, flash drives, back-up tapes, mobile devices, laptops, etc.

(b) When encryption is employed, the cryptographic module used shall be certified to meet FIPS 140-2 standards.

j. Lock or log off the computer when not in the immediate vicinity of the work area to protect CJI. Not all personnel have same CJI access permissions and need to keep CJI protected on a need –to-know basis.

k. Establish appropriate administrative, technical, and physical safeguards to ensure the security and confidentiality of CJI. (See Physical Protection Policy)

D. Media Transport

1. Controls shall be in place to protect electronic and physical media containing CJI while in transport (physically moved from one location to another) to prevent inadvertent or inappropriate disclosure and use. “Electronic media” means electronic storage media, including memory devices in laptops and computers (hard drives) or any removable, transportable digital memory media, such as magnetic tape or disk, backup medium, optical disk, flash drives, external hard drives, or digital memory card.

2. Dissemination to another agency is authorized if:

a. The other agency is an authorized recipient of such information and is being serviced by the accessing agency, or

b. The other agency is performing personnel and appointment functions for criminal justice employment applicants.

3. The Emporia Police Department personnel shall:

   a. Protect and control electronic and physical media during transport outside of controlled areas.

   b. Restrict the pickup, receipt, transfer, and delivery of such media to authorized personnel.

4. The Emporia Police Department personnel will control, protect, and secure electronic and physical media during transport from public disclosure by:

   a. Use of privacy statements in electronic and paper documents.

   b. Limiting the collection, disclosure, sharing, and use of CJI.

   c. Following the least privilege and role-based rules for allowing access. Limit access to CJI to only those people or roles that require access.

   d. Securing hand carried confidential electronic and paper documents by:

      (1) Storing CJI in a locked briefcase or lockbox.

      (2) Only viewing or accessing the CJI electronically or document printouts in a physically secure location by authorized personnel.

      (3) For hard copy printouts or CJI documents:

         (a) Package hard copy printouts in such a way as to not have any CJI information viewable.

         (b). That are mailed or shipped, agency must document procedures and only release to authorized individuals. DO NOT MARK THE PACKAGE TO BE MAILED CONFIDENTIAL. Packages containing CJI material are to be sent by method(s) that provide for complete shipment tracking and history, and

signature confirmation of delivery. (Agency Discretion)

e. Not taking CJI home or when traveling unless authorized by the Emporia Police Department LASO. When disposing confidential documents, use a shredder.

E. Electronic Media Sanitization and Disposal:

1. The agency shall sanitize, that is, overwrite at least three times or degauss electronic media prior to disposal or release for reuse by unauthorized individuals. Inoperable electronic media shall be destroyed (cut up, shredded, etc.). The agency shall maintain written documentation of the steps taken to sanitize or destroy electronic media. Agencies shall ensure the sanitization or destruction is witnessed or carried out by authorized personnel. Physical media shall be securely disposed of when no longer required, using formal procedures. For end of life media policy, refer to “Sanitization Destruction Policy”.

F. Breach Notification and Incident Reporting:

1. The agency shall promptly report incident information to appropriate authorities. Information security events and weaknesses associated with information systems shall be communicated in a manner allowing timely corrective action to be taken. Incident-related information can be obtained from a variety of sources including, but not limited to, audit monitoring, network monitoring, physical access monitoring, and user/administrator reports.

G. Roles and Responsibilities:

1. If CJI is improperly disclosed, lost, or reported as not received, the following procedures must be immediately followed:

a. The Emporia Police Department personnel shall notify his/her supervisor or LASO, and an incident-report form must be completed and submitted within 24 hours of discovery of the incident. The submitted report is to contain a detailed account of the incident, events leading to the incident, and steps taken/to be taken in response to the incident. (Agency Discretion)

b. The supervisor will communicate the situation to the LASO to notify of the loss or disclosure of CJI records.

c. The LASO will ensure the CSA ISO (CJIS System Agency Information Security Officer) is promptly informed of security incidents.

d. The CSA ISO will:

(1) Establish a security incident response and reporting procedure to discover, investigate, document, and report to the CSA, the affected criminal justice agency, and the FBI CJIS Division ISO major incidents that significantly endanger the security or integrity of CJI.

(2) Collect and disseminate all incident-related information received from the Department of Justice (DOJ), FBI CJIS Division, and other entities to the appropriate local law enforcement POCs within their area.

(3) Act as a single POC for their jurisdictional area for requesting incident response assistance.

H. Penalties

1. Report any Emporia Police Department CJI security incident to Supervisor and/or LASO as identified in this policy.

2. Violation of any of the requirements in this policy by any authorized personnel will result in suitable disciplinary action, up to and including loss of access privileges, civil and criminal prosecution and/or termination.

43.2.3 PERSONALLY-OWNED DEVICES

A. Purpose:

1. A personally owned information system or device shall be authorized to access, process, store, or transmit Emporia Police Department, state, or FBI Criminal Justice Information (CJI) only when these established and documented specific terms and conditions are met. This control does not apply to the use of personally owned information systems to access

the Emporia Police Department's information systems and information that are intended for public access (e.g., an agency's public website that contains purely public information).

2. This Personally Owned Device Policy was developed using the FBI's CJIS Security Policy 5.7 dated August 16, 2018. The intended target audience is Emporia Police Department personnel, support personnel, and private contractors/ vendors. The Emporia Police Department may complement this policy with a local policy; however, the CJIS Security Policy shall always be the minimum standard and the local policy may augment, or increase the standards, but shall not detract from the CJIS Security Policy standards.

B. Scope:

1. This policy applies to all Emporia Police Department personnel, support personnel, and/or private contractors/vendors who are authorized to use personally owned devices to connect to any physical, logical, and/or electronic premise of the Emporia Police Department to access, process, store, and/or transmit CJI. This also includes any private contractors/vendors who will conduct maintenance on any network device that processes, stores, and/or transmits FBI CJI.

C. Personally Owned Devices:

1. A personally owned device is any technology device that was purchased by an individual and was not issued by the Emporia Police Department. A personal device includes any portable technology like camera, USB flash drives, USB thumb drives, DVDs, CDs, air cards, and mobile wireless devices such as Androids, Blackberry OS, Apple iOS, Windows mobile, Symbian, tablets, laptops or any personal desktop computer. Threats to mobile handheld devices stem mainly from their size, portability, and available wireless interfaces and associated services.

2. The Emporia Police Department will maintain management control and authorize the use of personally owned devices. The Emporia Police Department shall develop guidelines to define which employees can use their own devices, the

types of devices they can use, and which applications and data they can access, process, or store on their devices.

3. Personally owned devices must:

   a. Be authorized by Emporia Police Department to access, process, transmit, and/or store FBI CJI.

   b. Be inspected by Emporia Police Department's IT staff and the LASO to ensure appropriate security requirement on the device are up-to-date and meet the FBI's CJIS Security Policy requirements prior to use.

   c. Take necessary precautions when being used outside of a physically secure area. Read below and also see Physical Protection Policy.

D. Remote Access:

1. The Emporia Police Department shall authorize, monitor, and control all methods of remote access to the information systems that can access, process, transmit, and/or store FBI CJI. Remote access is any temporary access to an agency's information system by a user (or an information system) communicating temporarily through an external, non-agency controlled network (e.g., the Internet).

2. The Emporia Police Department shall employ automated mechanisms to facilitate the monitoring and control of remote access methods. The Emporia Police Department shall control all remote access through managed access control points. The Emporia Police Department may permit remote access for privileged functions only for compelling operational needs but shall document the rationale for such access in the security plan for the information system.

3. Utilizing publicly accessible computers to access, process, store, or transmit CJI is prohibited. Publicly accessible computers include but are not limited to: hotel business center computers, convention center computers, public library computers, public kiosk computers, etc.

E. Roles and Responsibilities:

1. Owner Role: The owner agrees to:

a. Follow necessary policy and procedures to protect FBI CJI.

b. Usage of their device will be for work-related purposes.

d. Bring their device to work to use during normal work hours and not share the device with anyone else.

e. Emporia Police Department having the authority to erase device remotely as needed.

f. Be responsible for any financial obligations for device.

g. Protect individual's and Emporia Police Department's privacy.

h. Use good judgement before installing free applications. Sometimes free applications track your personal information with limited disclosure or authorization, and then sell your profile to advertising companies.

i. Use good judgement on amount of time applied to personal use of personally owned devices during normal work business hours.

j. Access FBI CJI only from an approved and authorized storage device.

k. Do not stream music or videos using personally owned devices when connected to Emporia Police Department's network to prevent sluggishness.

l. Report lost or stolen mobile or storage devices to the Emporia Police Department's Local Agency Security Officer (LASO) within one business day.

m. Review the use of device alerts and update services to validate you requested them. Restrict notifications not requested by looking at your device's settings.

n. Control wireless network and service connectivity. Validate mobile device default settings are not connecting to nearby Wi-Fi networks automatically. Some of these networks, like in airports or

neighborhood coffee shops, may be completely open and unsecure.

2. Information Technology Role:

a. The Emporia Police Department IT support role shall, at a minimum, ensure that external storage devices:

(1) Are encrypted when FBI CJI is stored electronically.

(2) Are scanned for virus and malware prior to use and/or prior to being connected to the agency's computer or laptop.

b. The Emporia Police Department IT support role shall, at a minimum, ensure that all personally owned devices:

(1) Apply available critical patches and upgrades to the device operating system.

(2) Are kept updated with security patches, firmware updates, and antivirus.

(3) Are configured for local device authentication.

(4) Use advanced authentication and encryption when FBI CJI is stored and/or transmitted.

(5) Be able to deliver built-in identity role mapping, network access control (NAC), AAA (Authentication, Authorization, and Accounting) services, and real-time endpoint reporting.

(6) Erase cached information when session is terminated.

(7) Employ personal firewalls.

(8) Minimize security risks by ensuring antivirus and antimalware are installed, running real time and updated.

(9) Be scanned for viruses and malware prior to accessing or connecting to Emporia Police Department CJIS network.

(10) Configure Bluetooth interface as undiscoverable except as needed for pairing which prevents visibility to other Bluetooth devices except when discovery is specifically needed.

(11) Be properly disposed of at the end of life. See Media Protection Policy. Remove FBI CJI before owner sells their personally owned devices or sends it in for repairs.

(12) Evaluate personally owned device age. Older device hardware is too outdated for needed updates. Typical life is two years.

(13) Ensure device is compatible with needed network protocols and/or compatible with customized applications developed for access FBI CJI through testing.

(14) Deploy Mobile Device Management or SIM card locks and credential functions. The credential functions require a pass code to use Emporia Police Department's network services. (Research enterprise mobile device management solutions-see product working successfully in real life scenario with the type of mobile device your state/agency wants to use prior to implementing. The enterprise mobile device solution much be compatible with chosen device products.)

(15) Ensure owner and IT staff have mobile backup enabled to an approved Emporia Police Department location. Set a daily or weekly schedule to periodically synch data and applications. If backup contains FBI CJI, take appropriate security measures for storage of FBI CJI. See Media Protection Policy.

(16) Retain the ability to secure, control, and remotely erase agency data on employee-

owned devices in the event of a security breach or if the employee leaves the agency employment or the device is lost or stolen. This remote ability can be done through technology that allows virtual access to company applications.

(17) Enable mobile device in a “find my phone” service to allow finding device.

(18) Consider adding extra protection such as a total device reset if the PIN is guessed incorrectly a certain number of attempts.

(19) Be able to easily identify connected users and devices. Track, log, and manage every personally used device allowed to connect to agency technology resources for secure FBI CJI access.

(20) Perform pre and post-authentication checks.

(21) Ability to allow and deny access. Selectively grant proper network access privileges.

3. Local Area Security Officer (LASO) will:

a. Identify who is using the personally owned approved hardware, software, and firmware and ensure no unauthorized individuals or processes have access to the same.

b. Identify and document how the equipment is connected to the state system.

c. Ensure that personnel security screening procedures are being followed as stated in this policy.

d. Ensure the approved and appropriate security measures are in place and working as expected.

e. Support policy compliance and ensure the CSA ISO is promptly informed of security incidents.

F. Penalties:

1. Violation of any of the requirements in this policy by any authorized personnel will result in appropriate disciplinary action, up to and including loss of access privileges, civil and criminal prosecution and/or termination. Personally owned information technology resources used may be retained by the Emporia Police Department for evaluation in investigation of security violations.

2. Violation of any of the requirements in this policy by any unauthorized person can result in similar disciplinary action against the device owner, and can also result in termination of services with any associated consulting organization or prosecution in the case of criminal activity.

43.2.4 PHYSICAL PROTECTON POLICY

A. Purpose:

1. The purpose of this policy is to provide guidance for agency personnel, support personnel, and private contractors/ vendors for the physical, logical, and electronic protection of Criminal Justice Information (CJI). All physical, logical, and electronic access must be properly documented, authorized, and controlled on devices that store, process, or transmit unencrypted CJI. This Physical Protection Policy focuses on the appropriate access control methods needed to protect the full lifecycle of CJI from insider and outsider threats.

2. This Physical Protection Policy was developed using the FBI's CJIS Security Policy 5.7 dated August 16, 2018. The intended target audience is Emporia Police Department personnel, support personnel, and private contractor/ vendors with access to CJI whether logically or physically. The local agency may complement this policy with a local policy; however, the CJIS Security Policy shall always be the minimum standard and local policy may augment, or increase the standards, but shall not detract from the CJIS Security Policy standards:

B. Physically Secure Location:

1. A physically secure location is a facility or an area, a room, or a group of rooms within a facility with both the physical and personnel security controls sufficient to protect the FBI

CJI and associated information systems. The perimeter of the physically secure location shall be prominently posted and separated from non-secure locations by physical controls. Security perimeters shall be defined, controlled, and secured. Restricted non-public areas in the Emporia Police Department shall be identified with a sign at the entrance.

C. Visitors Access:

1. A visitor is defined as a person who visits the Emporia Police Department facility on a temporary basis who is not employed by the Emporia Police Department and has no unescorted access to the physically secure location within the Emporia Police Department where FBI CJI and associated information systems are located.

2. Visitors shall:

a. Be accompanied by an Emporia Police Department escort at all times to include delivery or service personnel. An escort is defined as an authorized personnel who accompanies a visitor at all times while within a physically secure location to ensure that protection and integrity of the physically secure location and any CJI therein. The use of cameras or other electronic means used to monitor a physically secure location does not constitute an escort.

b. Show Emporia Police Department personnel a valid form of photo identification.

c. Follow Emporia Police Department policy for authorized unescorted access.

(1) Noncriminal justice Agency (NCJA) like city or county IT who require frequent unescorted access to restricted area(s) will be required to establish a Management Control Agreement between the Emporia Police Department and NCJA. Each NCJA employee with CJI access will appropriately have state and national fingerprint-based record background check prior to this restricted area access being granted.

(2) Private contractors/vendors who requires frequent unescorted access to restricted area(s) will be required to establish a Security Addendum between the Emporia Police Department and each private contractor personnel. Each private contractor personnel will appropriately have state and national fingerprint-based record background check prior to this restricted area access being granted.

d. Not be allowed to view screen information by shoulder surfing.

e. Individuals not having any legitimate business in a restricted area shall be courteously escorted to a public area of the facility. Strangers in physically secure areas without an escort should be challenged. If resistance or behavior of a threatening or suspicious nature is encountered, sworn personnel shall be notified or call 911.

f. Not be allowed to sponsor another visitor.

g. Not enter into a secure area with electronic devices unless approved by the Emporia Police Department Local Area Security Officer (LASO) to include cameras and mobile devices. Photographs are not allowed without permission of the Emporia Police Department assigned personnel.

D. Authorized Physical Access:

1. Only authorized personnel will have access to physically secure non-public locations. The Emporia Police Department will maintain and keep current a list of authorized personnel. All physical access points into the agency's secure areas will be authorized before granting access. The agency will implement access controls and monitoring of physically secure areas for protecting all transmission and display mediums of CJI. Authorized personnel will take necessary steps to prevent and protect the agency from physical, logical, and electronic breaches.

2. All personnel with CJI physical and logical access must:

a. Meet the minimum personnel screening requirements prior to CJI access.

(1) To verify identification, a state of residency and national fingerprint based record checks shall be conducted within 30 days of assignment for all personnel who have direct access to CJI and those who have direct responsibility to configure and maintain computer systems and networks with direct access to CJI.

(2) Support personnel, private contractors/ vendors, and custodial workers with access to physically secure locations or controlled areas (during CJI processing) shall be subject to a state and national fingerprint-based record check unless these individuals are escorted by authorized personnel at all times.

(3) Prior to granting access to CJI, the Emporia Police Department on whose behalf the contractor is retained shall verify identification via a state of residency and national fingerprint based record check.

(4) Refer to the CJIS Security Policy for handling cases of felony convictions, criminal records, arrest histories, etc.

3. Complete Security Awareness training:

a. All authorized Emporia Police Department, Noncriminal Justice Agencies (NCJA) like city or county IT and private contractor/vendor personnel will receive security awareness training within six months of being granted duties that require CJI access and every two years thereafter.

b. Security Awareness training will cover areas specified in the CJIS Security Policy at a minimum.

4. Be aware of who is in their secure area before accessing confidential data.

a. Take appropriate action to protect all confidential data.

b. Protect all terminal monitors with viewable CJI displayed on monitor and not allow viewing by the public or escorted visitors.

5. Properly protect and not share any individually issued keys, proximity cards, computer account passwords, etc.

   a. Report loss of issued keys, proximity cards, etc. to authorized agency personnel.

   b. If the loss occurs after normal business hours or on weekends or holidays, personnel are to call the Emporia Police Department POC to have authorized credentials like a proximity card de-activated and/or door locks possibly rekeyed.

   c. Safeguard and not share passwords, Personal identification Numbers (PIN), Security Tokens (i.e. Smartcard), and all other facility and computer systems security access procedures. See Disciplinary Policy.

6. Properly protect from viruses, worms, Trojan horses, and other malicious code.

7. Web Usage-allowed versus prohibited; monitoring of user activity. (Allowed versus prohibited is at the agency's discretion)

8. Do not use personally owned devices on the Emporia Police Department computers with CJI access. (Agency discretion). See Personally Owned Policy.

9. Use of electronic media is allowed only by authorized Emporia Police Department personnel. Controls shall be in place to protect electronic media and printouts containing CJI while in transport. When CJI is physically moved from a secure location to a non-secure location, appropriate controls will prevent data compromise and/or unauthorized access.

10. Email CJI information is NOT allowed.

11. Report any physical security incidents to the Emporia Police Department's LASO to include facility access violations, loss

of CJI, and loss of laptops, Blackberries, thumb drives, CDs/DVDs and printouts containing CJI.

12. Properly release hard copy printouts of CJI only to authorized vetted and authorized personnel in a secure envelope and shred or burn hard copy printouts when no longer needed. Information should be shared on a “need to know” basis. (See Sanitization and Destruction Policy)

13. Ensure data centers with CJI are physically and logically secure.

14. Keep appropriate Emporia Police Department security personnel informed when CJI access is no longer needed. In the event of ended employment, the individual must surrender all property and access managed by the local agency, state and /or federal agencies.

15. Not use food or drink around the information technology equipment.

16. Know which door to use from proper entry and exit of the Emporia Police Department and only use marked alarmed fire exits in emergency situations.

17. Ensure the perimeter security door securely locks after entry or departure. Do not leave any perimeter door propped opened and take measures to prevent piggybacking entries.

E. Roles and Responsibilities:

1. Terminal Agency Coordinator (TAC)

a. The TAC serves as the point of contact at the Emporia Police Department for matters relating to CJIS Information access. The TAC administers CJIS systems programs within the agency and oversees the agency’s compliance with FBI and state CJIS systems policies.

2. Local Agency Security Officer (LASO) will:

a. Identify who is using the CSA (state) approved hardware, software, and firmware and ensure no unauthorized individuals or processes have access to the same.

b. Identify and document how the equipment is connected to the state system.

c. Ensure that personnel security screening procedures are being followed as stated in this policy.

d. Ensure the approved and appropriate security measures are in place and working as expected.

e. Support policy compliance and ensure the CSA ISO is promptly informed of security incidents.

3. Agency Coordinator (AC):

a. An AC is a staff member of the Contracting Government Agency (CGA) who manages the agreement between the private contractor(s)/vendor(s) and the Emporia Police Department. A CGA is a government agency, whether a Criminal Justice Agency (CJA) or a NCJA, that enters into an agreement with a private contractor/vendor subject to the CJIS Security Addendum.

b. The AC shall be responsible for the supervision and integrity of the system, training, continuing education of private contractor/vendor employees and operators, scheduling of initial training, testing, certification testing, and all required reports by NCIC.

4. CJIS System Agency Information Security Officer (CSA ISO) will:

a. Serve as the security point of contact (POC) to the FBI CJIS Division ISO.

b. Document technical compliance with the CJIS Security Policy with the goal to assure the confidentiality, integrity, and availability of criminal justice information to the user community throughout the CSA's user community, to include the local level.

c. Document and provide assistance for implementing the security-related controls for the Interface Agency and its users.

d. ISOs have been identified as the POC on security-related issues for their respective agencies and shall ensure LASOs institute the CSA incident response reporting procedures at the local level. Establish a security incident response and reporting procedure to discover, investigate, document, and report to the CSA, the affected criminal justice agency, and the FBI CJIS Division ISO major incidents that significantly endanger the security or integrity of CJI.

5. Information Technology Support:

a. In coordination with above roles, all vetted IT support staff will protect CJI from compromise at the Emporia Police Department by performing the following:

(1) Protect information subject to confidentiality concerns-in systems, archived, on backup media, and until destroyed. Know where CJI is stored, printed, copied, transmitted, and planned end of life. CJI is stored on laptops, mobile data terminals (MDTs), computers, servers, tape backups, CDs, DVDs thumb drives, RISC devices, and internet connections as authorized by the Emporia Police Department. For agencies who submit fingerprints using Live Scan terminals, only Live Scan terminals that receive CJI back to the Live Scan terminal will be assessed for physical security.

(2) Be knowledgeable of required Emporia Police Department technical requirements and policies taking appropriate preventative measures and corrective actions to protect CJI at rest, transit, and at the end of life.

(3) Take appropriate action to ensure maximum uptime of CJI and expedited backup restores by using agency approved best practices for power backup and data backup means such as generators, backup universal power supplies on CJI based terminals, servers, switches, etc.

(4) Properly protect the Emporia Police Department's CJIS system(s) from viruses,

worms, Trojan horses, and other malicious code (real-time scanning and ensure updated definitions).

(a) Install and update antivirus on computers, laptops, MDTs, servers, etc.

(b) Scan any outside non-agency owned CDs, DVDs, thumb drives, etc., for viruses, if the Emporia Police Department allows the use of personally owned devices. (See the Emporia Police Department Personally Owned Device Policy)

(5) Data backup and storage – centralized or decentralized approach.

(a) Perform data backups and take appropriate measures to protect all stored CJI.

(b) Ensure only authorized vetted personnel transport off-site tape backups or any other media that store CJI that is removed from physically secured location.

(c) Ensure any media released from the Emporia Police Department is properly sanitized /destroyed. (See sanitization and destruction policy)

(6) Access control measures

(a) Address least privilege and separation of duties.

(b) Enable event logging of:

i. Successful and unsuccessful system log-on attempts.

ii. Successful and unsuccessful attempts to access, create, write, delete or change permission on a

user account, file, directory, or other system resource.

iii. Successful and unsuccessful attempts for users to access, modify, or destroy the audit log file.

(c) Prevent authorized users from utilizing publicly accessible computers to access, process store, or transmit CJI. Publicly accessible computers include but are not limited to: hotel business center computers, convention center computers, public library computers, public kiosk computers, etc.

(7) Account Management in coordination with TAC

(a) Agencies shall ensure that all user IDS belong to currently authorized users.

(b) Keep login access current, updated, and monitored. Remove or disable terminated, transferred, or associated accounts.

(c) Authenticate verified users as uniquely identified.

(d) Prevent multiple concurrent active sessions for one user identification, for those applications accessing CJI, unless the agency grants authority based upon operational business needs.

(e) Not use shared generic or default administrative user accounts or passwords for any device used with CJI.

(f) Passwords

i. Be a minimum length of 8 characters on all systems.

ii. Not be a dictionary word or proper name.

iii. Not be the same as the User id.

iv. Expire within a maximum of 90 calendar days.

v. Not be identical to the previous 10 passwords.

vi. Not be transmitted in the clear or plaintext outside the secure location.

vii. Not be displayed when entered.

viii. Ensure passwords are only reset for authorized user.

(8) Network infrastructure protection measures.

(a) Take action to protect CJI-related data from unauthorized public access.

(b) Control access, monitor, enabling, and updating configurations of boundary protection firewalls.

(c) Enable and update personal firewall on mobile devices as needed.

(d) Ensure confidential electronic data is only transmitted on secure network channels using encryption and advance authentication when leaving a physically secure location. No confidential data should be transmitted in clear text.

(e) Ensure any media that is removed from a physically secured location is encrypted in transit by a person or network.

(f) Not use default accounts on network equipment that passes CJI like switches, routers, and firewalls.

(g) Make sure law enforcement networks with CJI shall be on their own network accessible by authorized personnel who have been vetted by the Emporia Police Department. Utilize Virtual Local Area Network (VLAN) technology to segment CJI traffic from other noncriminal justice agency traffic to include other city and/or county agencies using same wide area network.

(9) Communicate and keep the Emporia Police Department informed of all scheduled and unscheduled network and computer downtimes, all security incidents, and misuse. The ultimate information technology management control belongs to Emporia Police Department.

6. All Emporia Police Department personnel and supporting entities are responsible to report any unauthorized physical, logical, and electronic access to the Emporia Police Department officials. For Emporia Police Department, the point of contacts to report any non-secure access is:

7. Penalties:

a. Violation of any of the requirements in this policy by any authorized personnel will result in suitable disciplinary action, up to and including loss of access privileges, civil, and criminal prosecution and/or termination.

b. Violation of any of the requirements in this policy by any visitor can result in similar disciplinary action against the sponsoring employee, and can also result in termination of services with any associated consulting organization or prosecution in the case of criminal activity.

43.2.5 SANITIZATION AND DESTRUCTION

A. Purpose:

1. The agency shall sanitize, that is, overwrite at least three times or degauss electronic media prior to disposal or release for reuse by unauthorized individuals. Inoperable electronic media shall be destroyed (cut up, shredded, crushed, burned, etc.)

2. The Emporia Police Department shall maintain written documentation of the steps taken to sanitize or destroy electronic media. Agencies shall ensure the sanitization or destruction is witnessed or carried out by authorized personnel. Physical media shall be securely disposed of when no longer required, using formal procedures.

B. End of Life:

1. The technology support lead will be contacted when the electronic hardware, software, etc. is in need of destruction. The technology support lead will then wipe all hardware of contents and in turn destroy the item by cutting, shredding, crushing, burning, etc.

2. The Emporia Police Department shall maintain written documents of the steps taken to destroy all hardware, software, etc. and it will be signed by the technology support lead along with a witness when the item(s) has been destroyed.

43.2.6 SECURITY INCIDENCE

A. Purpose:

1. As an incident to employment of the Emporia Police Department, all employees have access to information and material of a confidential nature. Such as information or material may include, but is not limited to, the personal identifying information of victims, witnesses, law enforcement officers, and suspects, the substance of police reports, the existence of covert law enforcement investigations, the identity of persons providing information to law enforcement, and the identity of individuals targeted in specific criminal investigations.

2. The disclosure of confidential information to unauthorized persons may have dire consequences to include the disruption of a trial or police investigation, or a threat to the physical safety of victims, witnesses, or law enforcement personnel.

3. Information and classified material shall not be disseminated to or discussed with the public without the express, prior authorization of the Chief of Police, or the Major. This policy applies to all Emporia Police Department employees, whether they are sworn or non-sworn. Any information which is accessible to the public on a court website, such as court dates and attorneys, is public information and may be shared with the public. Information given to the media or press should come directly from the Chief of Police, or his/her designee.

B. VCIN/NCIC:

1. The use of information received via the VCIN/NCIC terminal is strictly limited by law, and is monitored and controlled by the Virginia State Police. Employees may not use the VCIN/NCIC terminal unless they have been trained and authorized to do so by the State Police. Records obtained via the VCIN/NCIC terminal are to be considered “Internal Use Only” and copies of these records shall not be released or disseminated outside of the Emporia Police Department without the express, prior authority of the Chief of Police or order of the Court. Use of the VCIN/NCIC terminal is strictly for work purposes and under no circumstances shall the terminal be used for personal reasons. Any willful, unauthorized use of the VCIN/NCIC terminal or unauthorized dissemination of records obtained thereby constitutes malfeasance in office and is grounds for immediate termination. Furthermore, unauthorized access or dissemination may result in civil liability and/or criminal prosecution.

2. When criminal history records have served the purpose for which they were intended, they shall be destroyed by shredding or burning.

3. Procedure for Destruction of all printed NCIC/VCIN record and case information:

a. The records are boxed and sealed by the TAC officer. The CJIS security trained representative from City of Emporia Public Works Department will be contacted by the City Clerk to schedule an appointment for pick up. The records will then be removed from the Police Department and taken to the landfill for destruction by burning. Lastly, a form will be filled out and returned to the TAC officer that all records have been destroyed.

C. Security Incident Procedure:

1. Note: Individuals who fail to follow the proper procedures for the request, use, and dissemination of criminal history information will be in violation of the standards of conduct and could be in violation of the Section 9.1-136 of the Code of Virginia, which state that “any person who willfully and intentionally requests, obtains, or seeks to obtain criminal history record information under false pretenses, or who willfully and intentionally disseminates or seeks to disseminate criminal history record information to any agency or person in violation of this article, shall be guilty of a class 2 misdemeanor.

2. Any misuse or security incidents involving the VCIN/NCIC system or printed VCIN NCIC records will be notified immediately to the LASO. The LASO in turn will immediately notify the Virginia State Police and a CJI Incident form will be filled out.

43.2.7 USER-ACCOUNT ACCESS VALIDATION

A. Purpose:

1. All accounts shall be reviewed at least every six months by the terminal agency coordinator (TAC) or his/her designee to ensure that access and account privileges commensurate with job functions, need-to-know, and employment status on systems that contain Criminal Justice Information. The TAC may also conduct periodic reviews.

2. All guest accounts (for those who are not official employees of the CJA) with access to the criminal justice network shall contain an expiration date of one year or the work completion date, whichever occurs first. All guest accounts (for private contractor personnel) must be sponsored by the

appropriate authorized member of the administrative entity managing the resource.

3. The TAC must disable all new accounts that have not been accessed within 30 days of creation. Accounts of individuals on extended leave (more than 30 days) should be disabled. (Note: Exceptions can be made in cases where uninterrupted access to IT resources is required. In those instances, the individual going on extended leave must have a manager-approved request from the designated account administrator or assistant.)

4. The TAC must be notified if a user's information system usage or need-to-know changes (i.e., the employee is terminated, transferred, etc.) If an individual is assigned to another office for an extended period (more than 90 days), the TAC will transfer the individual's account(s) to the new office (CJA).

5. The TAC will remove or disable all access accounts for separated or terminated employees immediately following separation from the agency.

6. Primary responsibility for account management belongs to the Terminal Agency Coordinator (TAC).

B. The TAC shall:

1. Modify user accounts in response to events like name changes, accounting changes, permission changes, office transfers, etc.

2. Periodically review existing accounts for validity (at least once every 6 months), and

3. Cooperate fully with an authorized security team that is investigating a security incident or performing an audit review.

43.2.8 VCIN/NCIC CRIMINAL HISTORY PROCEDURES

A. CAUTION: Criminal History Records (VCIN/NCIC) are CONFIDENTIAL and must be handled as follows:

1. Only VCIN trained and approved users may request a criminal history.

2. Criminal histories are maintained in corresponding Police Department case files.

3. When criminal history records have served the purpose for which they were intended, they shall be destroyed by shredding.

4. There will be no unauthorized access or dissemination of any information obtained from the Emporia Police Department controlled information systems. Violations will be handled in accordance with the Code of Virginia.

5. The VCIN terminal shall remain locked when not in use.

6. Note: Individuals who fail to follow the proper procedures for the request, use, and dissemination of criminal history information will be in violation of the standards of conduct and could be in violation of the Section 9.1-136 of the Code of Virginia, which state that “any person who willfully and intentionally requests, obtains or seeks to obtain criminal history record information under false pretenses, or who willfully and intentionally disseminates or seeks to disseminate criminal history record information to any agency or person in violation of this article, shall be guilty of a class 2 misdemeanor.

7. Any misuse or security incidents involving the VCIN/NCIC system will be notified immediately to the LASO. The LASO in turn will immediately notify the Virginia State Police.

43.2.9 MANAGEMENT CONTROL AGREEMENT- NON-CRIMINAL JUSTICE PRIVATE CONTRACTOR OR GOVERNMENTAL AGENCY

A. Pursuant to the CJIS Security Policy Version 5.7, Sections 3.2.2 and 5.1, it is agreed that with respect to administration of that portion of computer systems and network infrastructure interfacing directly or indirectly with the Virginia Criminal Information Network for the interstate exchange of criminal history and other criminal justice information, the Emporia Police Department shall have the authority, via managed control, to set and enforce:

1 Priorities.

2. Standards for the selection, supervision, and termination of personnel as it relates to their access to any portion of the

criminal justice agency's network, which transports CJIS data.

3. Policy governing operation of criminal justice systems, computers, access devices, circuits, hubs, routers, firewalls, and any other components, including encryption, that comprise, support a telecommunications network and related criminal justice systems to include but not limited to criminal history record and other criminal justice information, insofar as the equipment is used to process or transmit criminal justice systems information guaranteeing the priority, integrity, and availability of service needed by the criminal justice community.

4. Restriction of unauthorized personnel from access or use of equipment accessing the State network.

5. Compliance with all rules and regulations of the Emporia Police Department Policies and CJIS Security Policy in the operation of all information received.

B. Responsibility for the management of security control shall remain with the criminal justice agency. (CJIS Security Policy Version 5.7, Section 3.2)

C. This agreement covers the overall supervision of all Emporia Police Department systems, applications, equipment, systems design, programming, and operational procedures associated with the development, implementation, and maintenance of any Emporia Police Department system to include NCIC Programs that may be subsequently designed and/or implemented within the Emporia Police Department.

RULE OF CONDUCT SECTIONS A-F:

A. GENERAL RESPONSIBILITIES:

1. Knowledge of Regulations:

All personnel are required to establish and maintain a working knowledge of all laws and ordinances in force in the City of Emporia and the Commonwealth of Virginia, regulations and general orders of the Emporia Police Department, and the divisions thereof. In the event of improper actions or breach of discipline, it will be presumed that the employee involved was familiar with the law, regulations, or general order in question. Violation of any law, regulation, or general order may be grounds for disciplinary action.

2. City Administrative Regulations:

Emporia Police Department personnel shall be governed by the City Personnel Manual, unless specifically exempted. Each employee of the Department is required to familiarize themselves with these rules. The City Personnel Manual is accessible to all employees on Power DMS.

3. Obedience to Laws and Regulations:

All personnel of the Emporia Police Department shall observe and obey all laws and ordinances and all regulations of the Department, and all general orders of the Department.

4. Performance of Duty:

All personnel shall perform their duties as required or directed by law, departmental rule, policy, general order, or by order of a superior. All lawful duties required by competent authority shall be performed promptly as directed, notwithstanding the general assignment of duties and responsibilities.

5. Reporting Violations:

Any employee who has knowledge of other employees, individually or collectively, who are knowingly or unintentionally violating any laws, statutes, ordinances, rules, regulations of the Department, or general orders of the Department, or who disobey orders, shall bring any and all facts pertaining to the matter to the attention of a superior. The superior contacted shall then take appropriate action. An employee may directly advise the Chief of Police of the violation(s).

6. Preservation of Peace and Protection of Life and Property:

It shall be the duty of each police officer of the Emporia Police Department to:

a. Preserve the public peace,

b. Protect life and property, and

c. Enforce and uphold the laws of the Commonwealth of Virginia and the ordinances of the City of Emporia.

7. **Standards of Conduct:**

a. Unbecoming Conduct – Personnel shall conduct themselves at all times, ***both on and off duty***, in such a manner as to reflect most favorably on the Department. Unbecoming conduct shall include: any behavior which brings the Department into disrepute; or any behavior which reflects discredit upon an employee as a member of the Department; or any behavior which impairs the operation or efficiency of the Department.

b. Immoral Conduct – Personnel shall maintain a level of moral conduct in their personal and business affairs, which is in keeping with the highest standards of the law enforcement profession. Personnel shall not participate in any incident involving moral turpitude, which impairs their ability to perform their duties, or causes the Department to be brought into disrepute.

c. Associations – Personnel shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the Department for present involvement in criminal behavior. Exceptions to this would be when these associations or dealings are necessary in the performance of official duties, or when unavoidable due to other personal relationships.

8. **Cooperation with Others:**

Personnel shall coordinate their efforts with all other employees of the Department, City agencies, Greensville County agencies, state agencies, and federal agencies when necessary to ensure the objective of maximum achievement and continuity of purpose through cooperation. All personnel are charged with the responsibility of fostering and maintaining a high degree of cooperation both within the Department and with all other agencies.

9. **Assistance to Other Officers:**

No officer shall fail to aid, assist, or protect another officer to the fullest extent of their capability in time of need in accordance with established procedures.

10. **Obligation to Duty:**

Officers of the Emporia Police Department are always subject to duty, although periodically relieved from its routine performance. They shall at all times

respond to the lawful orders of superiors and other proper authorities as well as requests for police assistance from citizens. Proper police action must be taken when required. Officers assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignment when necessary.

11. **Reporting to Duty:**

Personnel shall report for duty at the time and place required by assignment or orders, and shall be properly attired, equipped, and prepared to assume duty. Personnel shall give their undivided attention to orders, instructions, and any other information that may be disseminated.

12. **Inspections:**

Inspections of an employee's attire, uniform, or equipment may be made at any time by any competent authority. Such inspections shall include, but not be limited to, examination of lockers, desks, vehicles, or any other space or departmental premises used by any employee.

13. **Human Relations:**

Personnel are expected to perform their duties in an efficient, courteous, and orderly manner, employing patience and good judgment at all times. Personnel shall refrain from harsh, profane, or insolent language or acts and shall be courteous and civil when dealing with others. Personnel shall not use racial or ethnic slurs. They shall use respectful, civil forms of address to all persons regardless of life-style. Displays of bias on the basis of race, sex, religious preference, or life-style shall be considered unbecoming conduct.

14. **Sexual Harassment:**

Sexual harassment is a form of sex-discrimination, and is a violation of Title VII of the Civil Rights Act of 1964, as amended, and shall not be tolerated. It shall be the policy of the Emporia Police Department that sexual harassment is prohibited in any form. Unlawful sexual harassment includes, but is not limited to, any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature which is made a condition of any employment decision affecting such individuals, or which creates an offensive, hostile, or intimidating work environment. The use of signs, pictures, slogans, or excerpts from periodicals are examples of some items, which are considered to affect the employee's work environment. Cooperation in preventing this type of conduct is required at all levels and positions within the Department.

15. **Aid and Assistance to Citizens:**

a. While on duty, personnel shall aid and/or assist citizens within the City

when such aid or assistance appears to be called for and is not in conflict with the general principles of law enforcement or in violation of legal statutes or departmental rules and regulations. Officers shall provide general and emergency assistance to highway users to include, but not limited to:

(1) General information and directions;

(2) Arranging for towing, gasoline delivery, or mechanical assistance;

(3) Arranging for or providing transportation within the City (transports out of City must be approved by a supervisor).

b. Officers are required to render all possible assistance to citizens who wish to make any report in accordance with established policies and procedures of the Department. In an off-duty status, personnel have a professional obligation to act in an emergency situation which they may encounter or where their assistance is requested.

16. Identification as a Department Employee:

a. Upon commencement of employment, employees will be issued identification cards through the Department of Motor Vehicle (DMV), an employee number and if sworn a badge of authority.

b. This identification card will serve as preliminary verification that the person whose photograph appears on the card is an employee of the City of Emporia.

c. All employees, sworn or civilian, shall furnish their name, employee number and their assignment to any person requesting such information regarding matters in which the employee was acting in an official capacity.

d. When Department employees are interacting with the public via the telephone they should identify themselves. In addition, when a member of the public asks a department employee their name over the phone, the affected employee will willingly identify themselves by name and if necessary their appropriate employee number.

(1) Communications Officers assigned to the E-911 Communications Center will answer the phone in the following manner:

(a) 911 Emergency Call

i. 9-1-1, Dispatcher _____, What is your emergency?

(b) Non-Emergency Call

i. Emporia Police, Dispatcher _____, How may I help you?

d. Employees are required to carry their identification card with them at all times while on duty.

e. All agency employees, except those in an undercover assignment, shall carry their identification card, and badge (if law enforcement), at all times.

f. Except when impractical or not feasible, or where identity is obvious, employees shall identify themselves by displaying the official badge, if sworn, and/or their identification card before taking action.

g. The Emporia Police Department appreciates and respects the service of its employees. All Officers who retire from the City of Emporia with the appropriate amount of time of service and age will receive a retirement badge and identification card identifying them as a retired Emporia Police Officer.

17. Training:

Personnel shall attend basic, in-service, specialized or in-house training at the direction of the Training Coordinator or competent authority. Such attendance is considered a duty assignment.

18. On-Call Duty:

Officer's on-call shall furnish the Communications Center with the location and/or telephone number where they can be immediately contacted.

19. Physical Fitness and Examinations:

The role of a police officer often demands quick response to situations requiring physical exertion after long periods of sedentary activity. The safety of the general public and individual officers demands that officers maintain themselves in good physical condition regardless of assignment. Poor physical condition, such as obesity, is as much a detriment to the Department image as improper demeanor or unkempt uniform appearance. All officers should keep physically fit and undertake programs of diet and exercise that may be required to maintain an acceptable level of fitness. All officers shall have physical examinations conducted by physician designated by the City.

20. Truthfulness:

When questioned by competent authority, employees shall give complete and honest answers to any question related to their official duties, their fitness to hold public office, or violation(s) of the regulations or general orders of the Department.

21. Operation of Police Vehicles:

The safety of the public and personnel of the Department is the paramount consideration in the operation of police vehicles. Police vehicles shall be driven within the limits of state laws and City ordinances, and with the goal of establishing an example of safe driving for all citizens. Needless engine idling, rapid acceleration and other wasteful practices shall be avoided during the operation of police vehicles. Emergency situations allow for exceptions to this policy.

B. **PROHIBITED ACTIVITIES**

1. **Loitering, Sleeping, Loafing on Duty:**

Personnel shall not loiter, sleep, or loaf on duty, or in any other manner shirk their responsibilities in the performance of duty.

2. **Malingering:**

Personnel shall be absent from duty because of sickness only when suffering from an illness or injury, which would prevent the proper performance of duty. Personnel shall not feign sickness or disability, nor attempt to deceive a supervisor concerning the employee's physical or medical condition. Notification of the use of sick leave shall be made to the on-duty shift supervisor or the employee's immediate supervisor at least one hour prior to the scheduled time for duty.

3. **Use of Tobacco Products:**

a. Smoking and the use of any form of tobacco is prohibited within any city owned building.

b. Smoking and the use of any form of tobacco is prohibited within any city owned vehicle.

c. Officers shall not smoke or use any form of tobacco while engaged in traffic control, conducting an investigation, answering a call for service, or any other time that they are in contact with or in view of the public.

d. Employees signing the "No Smoking" agreement as a condition of employment shall not smoke at any time.

4. Consumption and Purchase of Intoxicants:

Personnel shall never be intoxicated while on duty, nor shall they ever be intoxicated in public view at any time. Personnel shall not consume intoxicants while off duty to the extent that evidence of such consumption is detectable when reporting for duty, or to the extent that their ability to perform their duty is impaired. Personnel, unless in the performance of official business, shall not consume or purchase any intoxicant while on duty.

5. Intoxicants on Departmental Premises:

Personnel shall not bring onto or keep any intoxicants on departmental premises except when necessary in the performance of duty. Intoxicants shall not be transported in any police vehicle, on duty or off duty, except as necessary in accordance with official duties.

6. **Personal Publicity:**

Personnel shall not use their position with the Department to enhance or promote any private enterprise, or to seek personal publicity. This provision is required to protect individual employees and the Department from potential conflicts of interest.

7. **Debts-Incurring and Payment:**

Financial irresponsibility is contrary to the special public trust granted all personnel of this Department. To protect this trust and the integrity of the Department, personnel shall make every reasonable effort to pay all debts for which they are legally responsible.

8. **Accepting Gifts or Gratuities:**

a. Employees shall not solicit any gifts, gratuities, loans or fees where there is any direct or indirect connection between the solicitation and the department employee.

b. Employees shall not accept either directly or indirectly any gifts, gratuities, loans, fee or any other thing of value arising from or offered because of, or in connection with any law enforcement activity.

c. Employees shall not accept any gift, gratuity or other thing of value, the acceptance of which might directly or indirectly influence any manner of official business, or which might adversely reflect on the department or any employee.

d. No employee shall receive a gratuity from other employees of lesser rank, without the permission of the Chief of Police.

e. Employees shall not accept any gift, gratuity, reward in money, or other considerations for services in the line of duty to the community, or to any person, business or agency except lawful salary and that authorized by Virginia State Code 15.2-1710.

f. Any unauthorized gift, gratuity, loan, fee, reward or other material benefit which comes into the possession of any departmental employee, shall be forwarded to the Major with a memorandum explaining the circumstance. The Major shall inform the Chief of Police and a determination shall be made whether to return the gift and/or to pursue an investigation against the giver. The Commonwealth Attorney will be consulted about the facts and circumstances of the incident. The employee involved will be notified in writing about the disposition by the Chief of Police.

g. Employees who have been found to have accepted bribes shall be dismissed from employment with the City of Emporia.

9. **Other Transactions:**

Personnel are prohibited from buying or selling anything of value from or to any complainant, suspect, witness, victim, defendant, prisoner, or other person involved in any case which has come to the attention of the Department. Exceptions to this are permissible if authorized by the Chief of Police.

10. **Commercial Testimonials:**

Personnel shall not permit their names or photographs to be used in endorsing any product or service connected with law enforcement without permission of the Chief of Police, or allow their names or photographs to be used in any commercial testimonials, which alludes to their position or employment with the Department.

11. **Membership in Organizations:**

Personnel shall not become affiliated with any organization which in any way exacts prior consideration, or which would prevent its members from rendering proper and efficient service to the Department.

12. **Political Activity:**

Personnel shall not use their position in the Department to endorse political candidates, nor shall they use their position to solicit, directly or indirectly, funds or other services in support of a political issue. Personnel shall not use their official capacity in any manner to influence the outcome of any political issue.

13. **Preferential Treatment:**

Personnel shall not seek the influence or intervention of any person outside the Department for purposes of personal preferment, advantage, appointment, advancement, or to gain favor or preferential treatment in any matter connected to their employment.

14. **Investigations without Approval:**

Personnel shall not conduct any investigation without approval from a supervisor. Approval can be documented by a supervisor's signature on the report of investigation. All confidential or secret investigations must have the expressed approval of a supervisor prior to engaging in investigative activities.

15. **Statements Detrimental to the Agency or to Personnel:**

Personnel shall not make any statements that are deemed detrimental to the agency or to the character of any employee. No such statements shall be made to any other member of this agency or to anyone in the general public. This will relate to any personnel related matters, unsubstantiated statements, or any nonfactual statements or events.

C. PRISONER CARE AND CUSTODY

1. **Prisoner Safety:**

The arresting officer is responsible for the safety and protection of any prisoner while they are in custody. The officer shall, as soon as possible, notify the shift supervisor of any injury, apparent illness, or other conditions, which indicate that the prisoner may need emergency or special care. Officers charged with the custody of prisoners shall observe all laws and departmental orders in connection with this activity. Prisoners shall be kept secure; they shall be treated in a humane manner, and shall not be subjected to unnecessary restraint or force. Profane or abusive language directed at prisoners is prohibited. Arresting officers are responsible for the custody of their prisoner until custody is assumed by other competent authority. This responsibility includes the prevention of acts by any other employee of the Department, which violate the law or departmental regulations. Any employee who has knowledge of any violation of this provision shall immediately report the violation to their squad supervisor. For specific regulations see Chapter 33.

2. **Care of Property:**

The arresting officer is responsible for the security of the prisoner's personal property from the time of arrest. With the exception of vehicles, this responsibility shifts to the Southside Regional Jail when they accept custody of the prisoner.

3. **Assisting Criminals:**

Personnel shall not intentionally divulge in any manner, either directly or indirectly, any information which might assist persons suspected or guilty of criminal acts in escaping arrest and/or punishment, or which may enable them to dispose of or secrete money, merchandise, or other property unlawfully obtained, or other evidence of illegal activity.

4. **Attorney or Bondsperson Recommendations:**

Personnel shall not suggest, recommend, advise, or otherwise counsel any person with whom they become acquainted as a result of police business, with regard to the retention of any attorney or bail bond broker. This section does not apply to a relative of an employee.

5. **Acting as Bailor Prohibited:**

Personnel shall not act as bailors for anyone, with the exception that an employee may do so where a relative is involved.

D. **ADMINISTRATIVE ACTIVITIES**

1. **Submitting Reports:**

Personnel shall promptly submit any reports required as a part of the performance of their duties or by competent authority.

2. **Reports and Bookings:**

No employee shall knowingly falsify any official report, or enter, or cause to be entered, any inaccurate, false, or improper information in official records of the Department.

3. **Alterations of Reports:**

Personnel shall not alter or request any other person to alter or withdraw any report, letter, request, or other written communication that is or has been conducted through official channels. This restriction shall not preclude the correction of grammatical errors. No employee shall advise, counsel, order, or otherwise dissuade any other employee from submitting any lawful report.

4. **Security of Official Records:**

Personnel shall not reveal police information except as provided elsewhere in this manual or as required by law or competent authority. Specifically, information contained in police records, other official correspondence, other information ordinarily accessible only to employees, and names of

informants, complainants, witnesses, and other persons known to the police, are all considered to be confidential in nature. Indiscriminate and unauthorized disclosure of this and similar information reflects gross misconduct.

5. **Notification of Change of Address or Telephone:**

   Personnel shall make certain that the Department has their current home address and telephone number. A change of address and/or telephone number must be reported within 24 hours of the change to the Office of the Chief of Police.

6. **Requirement for Telephone:**

   Personnel should have a working telephone, which may be a cellular phone at their residence and provide their number to the Office of the Chief of Police. Telephone numbers of departmental personnel shall not be released to anyone outside the agency unless authorized the Chief of Police.

7. **Reporting Arrests or Court Actions Involving Personnel:**

   Personnel shall report as soon as possible to their supervisor in the event that they have been arrested or court action has been initiated against them. Within 24 hours, the employee shall report via memorandum detailing the circumstances initially reported to the supervisor.

8. **Accepting Compensation for Damages:**

   Personnel shall not seek, by filing suit or through other means, nor accept from any person or agency, any money or other compensation for damages or expenses incurred in the line of duty or for which the employee has received sick leave pay, without previously notifying the Chief of Police in writing of the employee's intended course of action. Such notification shall also occur upon the final disposition of any suit in which an employee is awarded compensation for damages or expenses incurred in the line of duty.

9. **Public Appearance Requests:**

   All requests for public speeches, presentations, and the like, will be routed to the Major through the chain of command. Citizens with requests of this nature shall be directed to either Captain, the Major, or the Chief of Police.

10. **Civil Action, Court Appearances, Reporting Services of Process:**

    Personnel shall not testify in civil actions unless served with a legal subpoena. This shall not apply to cases in which the employee is the plaintiff or where the employee is related to the defendant by blood or marriage. Personnel shall not enter into any financial agreement regarding appearances as witnesses

in any civil action except as authorized by the Chief of Police. Any employee named as a defendant who is served with a civil process, or any employee who is served with a subpoena to testify as a witness in a civil action where another employee is named as a defendant, shall immediately notify the Chief of Police by forwarding a brief memorandum which indicates that civil process or a subpoena was served and which details the date and method of service. A copy of the civil process or subpoena shall be attached to the memorandum.

11. **Civil Dispositions and Affidavits:**

Employees shall confer with the Major before filing a deposition or affidavit in any civil case resulting from the employee's performance of duty. The Major shall notify the Chief of Police prior to the date of the deposition or affidavit.

12. **Civil Cases:**

Officers shall not serve civil process or assist in civil cases unless specific consent of the Chief of Police has been obtained. Officers shall avoid entering into civil disputes, particularly while performing their duties, but shall still be responsible for enforcing any laws or ordinances, which may become applicable to the situation.

13. **Traffic Accidents Involving Privately Owned Vehicles:**

Any reportable traffic accident involving a privately owned vehicle operated by an officer within the City of Emporia shall be investigated by a police supervisor. An officer of equal or greater rank shall investigate any such accident involving a police supervisor or command staff officer. The on-duty supervisor has the option to contact the Virginia State Police if the accident involves an officer of a higher rank than them. The investigation shall be consistent and within the requirements of this General Orders Manual.

E. **ORDERS**

1. **Insubordination:**

Except as otherwise stated herein, defiance of lawful authority or disobedience of orders constitutes insubordination.

2. **Unlawful Orders:**

Personnel shall not knowingly issue any order which is in violation of any law, statute, ordinance, departmental rule or regulation.

3. **Manner of Issuing Orders:**

Orders shall be issued in a clear and civil tone, in an understandable manner, and in the interest of departmental business.

4. **Disobedience to Unlawful Orders:**

Personnel shall not, nor are they expected to, obey any order that they know to be contrary to federal or state law or City Ordinance. At the time the unlawful order is issued, the employee shall advise the issuing authority of its illegality. Should that authority persist in demanding compliance, an employee of superior rank or status to all parties involved should be summoned to resolve the issue. Responsibility for refusal to obey rests with the employee and justification for actions of refusal will be required.

5. **Obedience to Improper Orders:**

Personnel who receive orders that they feel are unjust or contrary to departmental rules and regulations are required to obey the order, but may appeal that order at the earliest opportunity.

6. **Conflicting Orders:**

Upon receipt of an order that is in conflict with any previous order or instruction, the affected employee will respectfully advise the person issuing the superseding order of the conflict. Responsibility for countermanding the original instruction then rests with the individual issuing the superseding order. If the superseding command is held in force it shall be obeyed, there by rendering all previous orders ineffective. Orders will be countermanded only when in the best interest of the Department.

7. **Reports and Appeals:**

Personnel receiving unlawful, unjust, or improper orders shall, at their first opportunity and prior to the conclusion of the tour of duty in which the order was given, report the facts by memorandum to the Chief of Police through the chain of command. The memorandum shall contain the facts of the incident and the action taken. Appeals for release from such orders may be made at the same time.

F. EQUIPMENT

1. Title to Equipment:

Title to all uniforms and equipment purchased for and issued to departmental personnel shall be vested in the City of Emporia. Personnel shall be strictly accountable for the proper care, security, use and maintenance of all articles, uniforms, and equipment provided. If property is lost or damaged through

employee negligence, the responsible employee may be subjected to disciplinary action. Uniforms and equipment shall only be worn or used in accordance with departmental regulations.

2. **Uniforms, Equipment and Appearance:**

   Personnel shall maintain regulation uniforms in a neat order and good repair. The uniform shall be worn in conformance with departmental policy and only approved uniforms shall be worn. Personnel shall be neat in appearance and well groomed. Leather equipment shall be presentable and not worn and tattered. Officers may wear either the Class A or Class B uniform. Each class uniform will be either long or short sleeve shirt and shall be worn with the issued badge, name plate, tie and collar pins. Uniform collars shall be marked with the appropriate rank insignia/chevrons.

3. **Manner of Dress on Duty:**

   a. Personnel will be required to wear the issued duty uniform and equipment; however, command staff officers may prescribe other clothing and equipment as necessitated by the nature of the duty to which a particular employee is assigned.

   b. When reporting for or leaving from work, personnel will be dressed in presentable attire. Presentable attire shall be a complete uniform, civilian clothes, or a civilian shirt or jacket with uniform trousers. When not in full uniform, the carried firearm will be worn in an inconspicuous manner, concealed.

4. **Civilian Attire:**

   Civilian clothing worn by personnel during a tour of duty shall conform to standards normally found in private business. Command staff officers may prescribe other types of clothing as deemed necessary. All articles of clothing worn shall reflect good taste.

5. **Replacement of Damaged Uniforms and Equipment:**

   Claims for damage to clothing and/or equipment resulting from the performance of duty shall be directed to the employee's immediate supervisor.

6. **Damaged or Inoperative Property or Equipment:**

   Personnel shall immediately report to their supervisor any loss of, or damage to, departmental property assigned to or used by them. Such notification shall be made by memorandum to the Chief of Police through his/her supervisor. The supervisor shall be notified of any defects or hazardous conditions found in any departmental equipment or property.

7. **Care of Buildings:**

   Personnel shall not mar, mark, deface, or destroy any surface on any City building unless it is in the proper execution of duty with the consent of competent authority.

8. **Defacing Notices:**

   Personnel shall not mar, mark, alter, or deface any posted notice of the Department unless ordered by competent authority. No inflammatory, discrediting, or derogatory notices will be posted at any time.

9. **Alteration and Repair of Issued Firearms:**

   No personnel, except qualified armorers appointed by the Chief of Police, shall alter or repair any firearm issued by the Emporia Police Department. No firearm issued by the Department shall be taken to an outside source for alterations or repairs of any form. Officers shall be responsible for the care, security, and maintenance of Department issued firearms. Proper care and maintenance includes the cleaning procedures as instructed during firearms training classes.

10. **Manner of Dress for Court Appearances:**

    It is preferred that officers who normally wear their uniform for their normal tour of duty wear their uniforms during court appearances related to their official duties. However, when an officer is off-duty and is required to be a witness for the Commonwealth related to their official duties, they have the option of wearing either their uniform, or a suit or sport coat and tie. Plain clothes officers have the option to wear a suit or sport coat and tie or their issued uniform. Female officers attending court will wear clothing that is consistent with business professional. Personnel shall not attend any court in any jurisdiction for the purpose of testifying or appearing as a defendant attired in an Emporia Police Department uniform if the purpose of their appearance does not relate to acts which occurred during the performance of official duties.

EMPORIA
POLICE DEPARTMENT

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GENERAL ORDERS MANUAL OF POLICIES AND PROCEDURES

The City of Emporia Police Department is a full-service law enforcement agency composed of sworn and non-sworn personnel dedicated to providing our community with high quality service in a prompt, polite and courteous, problem-solving, community policing manner. Through this manual we set forward our mission, values and goals; establish rules of conduct for our employees and provide the procedures and guidance necessary for our personnel to handle the wide variety of legal, often complex and sometimes technical matters that come to our attention.

Authority for Establishing Department Manual - The Code of Virginia 15.2-1701 was codified from Chapter 160, Acts of Assembly 1946, authorizing any locality, by ordinance, to organize its police forces. In 1916, the Emporia Town Council passed a resolution creating the Town's Police Department. Emporia was chartered as a city in 1967. The City Manager was delegated the authority to operate and supervise the Department, appoint supervisory officers, and establish rules and regulations for the operation of the Department as deemed advisable or necessary. The authority of the City Manager has been delegated to the Chief of Police to develop, review and modify rules, regulations, policies and procedures of the Police Department.

Employees Covered by Department Manual – The Emporia Police Department General Orders Manual of Policies and Procedures may be referred to as the "Department Manual" the "Manual," applies to all employees unless stated otherwise, or is obvious by the subject matter. The directives in the Manual are for internal use only and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense with respect to third party claims. Violations of these directives, if proven, can only form the basis of a complaint by this Department and then only on a non-judicial administrative setting.

The following rules and regulations, policies and procedures have been revised and modified on July 1, 2020. Therefore, this general orders manual, 5th edition supersedes the general orders manual, 4th edition that was effective July 1, 2019.

Approved by:

Ricky A. Pinksaw
Chief of Police

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"An Internationally Accredited Law Enforcement Agency"